

**THE**  
**Punjab Legislative Assembly**  
**Debates.**

**From 10th to 28th January, 1938.**

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**Vol. II.**

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**OFFICIAL REPORT.**



**Lahore :**

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**1938.**

PRINCIPAL OFFICERS OF THE PUNJAB LEGISLATIVE  
ASSEMBLY.

*Speaker.*

The Hon'ble Chaudhri Sir Shahab-ud-Din, Kt., K.B., B.A., LL.B.

*Deputy Speaker.*

Sardar Dasaundha Singh, B.A., LL.B.

*Secretary.*

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

*Assistant Secretary.*

Khan Sahib Hakeem Ahmad Shujaa, B.A.

# **PUNJAB LEGISLATIVE ASSEMBLY.**

## **LIST OF MEMBERS.**

### **PREMIER.**

The Hon'ble Major Sir Sikander Hyat-Khan, K.B.E. (West Punjab, Landholders).

### **MINISTERS.**

The Hon'ble Dr. Sir Sundar Singh Majithia, Kt., C.I.E., D.O.L., Minister of Revenue (Batala, Sikh, Rural).

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

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

The Hon'ble Nawabzada Major Khizar Hyat Khan Tiwana, Minister of Public Works (Khushab, Muhammadan, Rural).

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

### **PARLIAMENTARY SECRETARIES.**

Khan Bahadur Mian Ahmad Yar Khan Daulatana, Political and Chief Official Whip (Mailsi, Muhammadan, Rural).

Mir Maqbool Mahmood, General (Amritsar, Muhammadan, Rural).

Sardar Sahib Sardar Ujjal Singh, M.A., Home (Western Towns, Sikh, Urban).

Mrs. Jahan Ara Shah Nawaz, Education, Medical Relief and Public Health (Outer Lahore, Muhammadan Women, Urban).

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

Chaudhri Tika Ram, B.A., LL.B., Development (Rohtak North, General, Rural).

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

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

### **PARLIAMENTARY PRIVATE SECRETARIES.**

Syed Amjad Ali Shah, O.B.E. (Ferozepore East, Muhammadan, Rural).

Bhagat Hans Raj, B.A., LL.B. (Amritsar and Sialkot, General, Reserved Seat, Rural).

Sardar Jagjit Singh, Man (Central Punjab, Landholders).

Professor W. Roberts, C.I.E. (European).

# PARLIAMENTARY PRIVATE SECRETARIES—CONCLUDED.

Rai Bahadur Chaudhri Sham Lal (West Multan Division, General, Rural).  
 Nawabzada Muhammad Faiyaz Ali Khan (Karnal, Muhammadan, Rural).  
 Khan Bahadur Mian Mushtaq Ahmad Gurmani (Muzaffargarh, North, Muhammadan, Rural).  
 Sardar Gopal Singh (American), (Ludhiana and Ferozepore, General, Reserved Seat, Rural).

## MEMBERS.

Abdul Aziz, Mian (Outer Lahore, Muhammadan, Urban).  
 Abdul Hamid Khan, Sufi (Ambala and Simla, Muhammadan, Rural).  
 Abdul Rab, Mian (Jullundur South, Muhammadan, Rural).  
 Abdul Rahim, Chaudhri (Shakargarh, Muhammadan, Rural).  
 Abdul Rahim, Chaudhri (South-East Gurgaon, Muhammadan, Rural).  
 Afzaalali Hasnie, Syed (Shahdara, Muhammadan, Rural).  
 Ahmad Yar Khan, Chaudhri (North-West Gujrat, Muhammadan, Rural).  
 Ajit Singh, Sardar (South-West Punjab, Sikh, Rural).  
 Akbar Ali, Pir (Fazilka, Muhammadan, Rural).  
 Ali Akbar, Chaudhri (Gurdaspur East, Muhammadan, Rural).  
 Allah Bakhsh Khan, Khan Bahadur Nawab Malik, M.B.E. (Shahpur, Muhammadan, Rural).  
 Anant Ram, Chaudhri, B.A., LL.B. (Karnal South, General, Rural).  
 Ashiq Hussain, Captain (Multan, Muhammadan, Rural).  
 Badr-Mohy-ud-Din Qadri, Mian (Batala, Muhammadan, Rural).  
 Balbir Singh, Rao Bahadur Captain Rao, O.B.E. (North-West Gurgaon, General, Rural).  
 Baldev Singh, Sardar (Ambala North, Sikh, Rural).  
 Balwant Singh, Sardar (Sialkot, Sikh, Rural).  
 Barkat Ali, Malik, M.A., LL.B. (Eastern Towns, Muhammadan, Rural).  
 Bhagat Ram Choda, Lala (Jullundur, General, Rural).  
 Bhagat Ram Sharma, Pandit (Kangra West, General, Rural).  
 Bhagwant Singh, Rai (Kangra East, General, Rural).  
 Bhim Sen Sachar, Lala, B.A., LL.B. (North Western Towns, General, Urban).  
 Binda Saran, Rai Bahadur (Punjab Commerce and Industry).  
 Chaman Lal, Diwan, B.A. (Oxon), (East Punjab, Non-Union Labour).  
 Chanan Singh, Sardar (Kasur, Sikh, Rural).  
 Deshbandhu Gupta, Lala (South-Eastern Towns, General, Urban).  
 Dina Nath, Captain (Kangra South, General, Rural).  
 Duni Chand, Lala (Ambala and Simla, General, Rural).

## MEMBERS—CONTINUED.

- Faiz Muhammad Khan, Rai (Kangra and Eastern Hoshiarpur, Muhammadan, Rural).
- Faqir Chand, Chaudhri (Karnal North, General, Reserved Seat, Rural).
- Faqir Hussain Khan, Chaudhri (Tarn Taran, Muhammadan, Rural).
- Farman Ali Khan, Subedar Major Raja (Gujar Khan, Muhammadan, Rural).
- Fatehjang Singh, 2nd-Lieut., Bhai (South-East, Sikh, Rural).
- Fateh Khan, Raja (Rawalpindi East, Muhammadan, Rural).
- Fateh Muhammad, Mian (Gujrat North, Muhammadan, Rural).
- Fateh Sher Khan, Malik (Montgomery, Muhammadan, Rural).
- Fazl Ali Khan, Khan Bahadur Nawab Chaudhri, O.B.E. (Gujrat East Muhammadan, Rural).
- Fazl Din, Khan Sahib Chaudhri (Ajnala, Muhammadan, Rural).
- Fazal Karim Bakhsh, Mian (Muzaffargarh, Sadar, Muhammadan, Rural).
- Few, Mr. E. (Anglo-Indian).
- Ghulam Hussain, Khawaja (Multan Division Towns, Muhammadan, Urban).
- Ghulam Mohy-ud-Din, M. (Sheikhupura, Muhammadan, Rural).
- Ghulam Qadar Khan, Khan Bahadur (Mianwali North, Muhammadan-Rural).
- Ghulam Rasul, Chaudhri (Sialkot Central, Muhammadan, Rural).
- Ghulam Samad, Khawaja (Southern Towns, Muhammadan, Urban).
- Girdhari Das, Mahant (South-East Multan Division, General, Rural).
- Gokul Chand Narang, Dr. Sir, M.A., Ph.D. (West Lahore Division, General, Rural).
- Gopal Das, Rai Sahib Lala (Kangra North, General, Rural).
- Gopi Chand Bhargava, Dr. (Lahore City, General, Urban).
- Gurbachan Singh, Sardar Sahib Sardar (Jullundur West, Sikh, Rural).
- Habib Ullah Khan, Malik (Sargodha, Muhammadan, Rural).
- Haibat Khan Daba, Khan (Khanewal, Muhammadan, Rural).
- Hari Chand, Rai (Una, General, Rural).
- Hari Lal, Munshi (South-Western Towns, General, Urban).
- Hari Singh, Sardar (Kangra and Northern Hoshiarpur, Sikh, Rural).
- Harjab Singh, Sardar (Hoshiarpur South, Sikh, Rural).
- Harnam Das, Lala (Lyallpur and Jhang, General, Reserved Seat, Rural).
- Hamam Singh, Lieutenant Sodhi (Ferozepore North, Sikh, Rural).
- Het Ram, Rai Sahib Chaudhri (Hissar South, General, Rural).
- Indar Singh, Sardar (Gurdaspur North, Sikh, Rural).
- Jagjit Singh Bedi, Tikka (Montgomery East, Sikh, Rural).
- ahangir Khan, Chaudhri (Okara, Muhammadan, Rural).

## MEMBERS—CONTINUED.

- Jalal-ud-Din Amber, Chaudhri, B.A. (West Central Punjab, Indian Christian).
- Jogindar Singh Man, Sardar (Gujranwala and Shahdara, Sikh, Rural).
- Jugal Kishore, Chaudhri (Ambala and Simla, General, Reserved Seat, Rural).
- Kabul Singh, Master (Jullundur East, Sikh, Rural).
- Kapoor Singh, Sardar (Ludhiana East, Sikh, Rural).
- Karamat Ali, Shaikh, B.A., LL.B. (Nankana Sahib, Muhammadan, Rural).
- Kartar Singh, Chaudhri (Hoshiarpur West, General, Rural).
- Kartar Singh, Sardar (Lyallpur East, Sikh, Rural).
- Khalid Latif Gauba, Mr. (Inner Lahore, Muhammadan, Urban).
- Kishan Dass, Seth (Jullundur, General, Reserved Seat, Rural).
- Kishan Singh, Sardar (Amritsar Central, Sikh, Rural).
- Krishna Gopal Dutt Chaudhri (North-Eastern Towns, General, Urban).
- Lal Singh, Sardar, M.Sc., LL.B. (Ludhiana Central, Sikh, Rural).
- Mazhar Ali Azhar, Maulvi (North-Eastern Towns, Muhammadan, Urban).
- Mohy-ud-Din Lal Badshah, Pir (Attock South, Muhammadan, Rural).
- Mubarik Ali Shah, Syed (Jhang Central, Muhammadan, Rural).
- Muhammad Abdul Rahman Khan, Chaudhri (Jullundur North, Muhammadan, Rural).
- Muhammad Akram Khan, Khan Bahadur Raja (Jhelum, Muhammadan-Rural).
- Muhammad Alam, Dr. Shaikh, B.A., Hons. (Oxon), LL.D. (Dublin), (Rawalpindi Division Towns, Muhammadan, Urban).
- Muhammad Ashraf, Chaudhri (South-West Gujrat, Muhammadan, Rural).
- Muhammad Hassan, Chaudhri (Ludhiana, Muhammadan, Rural).
- Muhammad Hassan Khan Gurchani, Khan Bahadur Sardar, C.I.E. (Dera Ghazi Khan South, Muhammadan, Rural).
- Muhammad Hassan, Khan Bahadur Makhdum Syed (Alipur, Muhammadan, Rural).
- Muhammad Hayat Khan Noon, Nawab Sir Malik (North Punjab, Landholders).
- Muhammad Hussain, Sardar (Chunian, Muhammadan, Rural).
- Muhammad Hussain, Chaudhri, B.A., LL.B. (Gujranwala East, Muhammadan, Rural).
- Muhammad Iftikhar-ud-Din, Mian (Kasur, Muhammadan, Rural).
- Muhammad Jamal Khan Leghari, Khan Bahadur Nawab Sir (Tumandars).
- Muhammad Nawaz Khan, Major Sardar (Attock Central, Muhammadan-Rural).
- Muhammad Nurullah, Mian, B.Com. (London) (Lyallpur, Muhammadan, Rural).

## MEMBERS—CONTINUED.

- Muhammad Raza Shah Jeelani, Makhdumzada Haji Sayed (Shujabad, Muhammadan, Rural).
- Muhammad Saadat Ali Khan, Khan Sahib Nawab (Samundri, Muhammadan, Rural).
- Muhammad Sarfraz Khan, Chaudhri (Sialkot North, Muhammadan, Rural).
- Muhammad Sarfraz Khan, Raja (Chakwal, Muhammadan, Rural).
- Muhammad Shafi Ali Khan, Khan Sahib Chaudhri (Rohtak, Muhammadan, Rural).
- Muhammad Wilayat Hussain Jeelani, Makhdumzada Haji Sayed (Lodhran, Muhammadan, Rural).
- Muhammad Yasin Khan, Chaudhri, B.A., LL.B. (North-West Gurgaon, Muhammadan, Rural).
- Muhammad Yusaf Khan, Khan, B.A., LL.B. (Rawalpindi Sadar, Muhammadan, Rural).
- Mukand Lal Puri, Rai Bahadur Mr. (Rawalpindi Division, General, Rural).
- Mula Singh, Sardar (Hoshiarpur West, General, Reserved Seat, Rural).
- Muni Lal Kalia, Pandit (Ludhiana and Ferozepore, General, Rural).
- Muzaffar Ali Khan, Qizilbash, Sardar (Lahore, Muhammadan, Rural).
- Muzaffar Khan, Khan Bahadur Captain Malik (Mianwali South, Muhammadan, Rural).
- Muzaffar Khan, Khan Bahadur Nawab, C.I.E. (Attock North, Muhammadan, Rural).
- Narendra Nath, Diwan Bahadur Raja (East Punjab, Landholders).
- Nasir-ud-Din, Chaudhri (Gujranwala North, Muhammadan, Rural).
- Nasir-ud-Din Shah, Pir (Toba Tek Singh, Muhammadan, Rural).
- Nasrullah Khan, Bana (Hoshiarpur West, Muhammadan, Rural).
- Naunihal Singh, Mann, Lieutenant Sardar (Sheikhupura West, Sikh, Rural).
- Nawazish Ali Shah, Syed (Jhang East, Muhammadan, Rural).
- Nur Ahmad Khan, Khan Sahib Mian (Dipalpur, Muhammadan, Rural).
- Partab Singh, Sardar (Amritsar South, Sikh, Rural).
- Pir Muhammad, Khan Sahib Chaudhri (South-East Gujrat, Muhammadan, Rural).
- Prem Singh, Chaudhri (South-East Gurgaon, General, Reserved Seat Rural).
- Prem Singh, Mahant (Gujrat and Shahpur, Sikh, Rural).
- Pritam Singh Siddhu, Sardar, B.A., LL.B. (Ferozepore West, Sikh, Rural).
- Raghubir Kaur, Shrimati (Amritsar, Sikh, Women).
- Rai, Mr. C. (Amritsar and Sialkot, General, Rural).
- Ram Narain Virmani, Seth (Lyallpur and Jhang, General, Rural).
- Ram Sarup, Chaudhri (Rohtak Central, General, Rural).
- Ranpat, Chaudhri (Karnal North, General, Rural).

## MEMBERS—CONCLUDED.

- Bashida Latif Baji, Begum (Inner Lahore, Muhammadan Women, Urban).  
 Riasat Ali, Khan Bahadur Chaudhri (Hafizabad, Muhammadan, Rural).  
 Rur Singh, Sardar (Ferozepore East, Sikh, Rural).  
 Sahib Dad Khan, Khan Sahib Chaudhri (Hissar, Muhammadan, Rural).  
 Saif-ud-Din Kitchlew, Dr. (Amritsar City, Muhammadan, Urban).  
 Sampuran Singh, Sardar (Lyallpur West, Sikh, Rural).  
 Santokh Singh, Sardar Sahib Sardar (Eastern Towns, Sikh, Urban).  
 Sant Ram Seth, Dr. (Amritsar City, General, Urban).  
 Shahadat Khan, Khan Sahib Rai (Jaranwala, Muhammadan, Rural).  
 Shah Nawaz Khan, Nawab Khan (Ferozepore Central, Muhammadan, Rural).  
 Shri Ram Sharma, Pandit (Southern Towns, General, Urban).  
 Singha, Mr. S. P. (East Central Punjab, Indian Christian).  
 Sita Ram, Lala (Trade Union, Labour).  
 Sohan Singh Josh, Sardar (Amritsar North, Sikh, Rural).  
 Sudarshan, Lala (Eastern Towns, General, Urban).  
 Sultan Mahmud Hotiana, Mian, B.A. (Pakpattan, Muhammadan, Rural).  
 Sumer Singh, Chaudhri, B.A., LL.B. (South-East Gurgaon, General, Rural).  
 Suraj Mal, Chaudhri, B.A., LL.B. (Hansi, General, Rural).  
 Talib Hussain Khan, Khan (Jhang West, Muhammadan, Rural).  
 Tara Singh, Sardar (Ferozepore South, Sikh, Rural).  
 Teja Singh, Sardar (Lahore West, Sikh, Rural).  
 Umar Hayat Khan, Chaudhri (Bhalwal, Muhammadan, Rural).  
 Uttam Singh Dugal, Sardar (North-West Punjab, Sikh, Rural).  
 Wali Muhammad Sayyal Hiraj, Sardar (Kabirwala, Muhammadan, Rural).

## ADVOCATE-GENERAL.

- Diwan Ram Lal, Bar.-at-Law.

# TABLE OF CONTENTS.

## SECOND SESSION OF THE FIRST PUNJAB LEGISLATIVE ASSEMBLY.

*Monday, 10th January, 1938.*

	PAGES.
Oath of Office .. .. .	1
Starred questions and answers .. .. .	2
Unstarred questions and answers .. .. .	37
Applications of members for leave of absence .. .. .	43
Supplementary statement <i>re</i> action taken against corrupt officials	44
Reference to late Bibi Parbati Devi .. .. .	45
Adjournment motions <i>re</i> —	
Voluntary surrender of part of salaries and allowances by Ministers and their Secretaries .. .. .	45
Anti-Congress campaign by members of the Punjab Cabinet..	48
Campaign of repression .. .. .	50
Arrests of political workers .. .. .	50
Police raid in village Katani .. .. .	51
Supplementary Estimates, Presentation .. .. .	52
Rules of Procedure .. .. .	52

*Tuesday, 11th January, 1938.*

Starred questions and answers .. .. .	85
Unstarred questions and answers .. .. .	131
Reference to late Mr. Ahmad Bakhsh Khan .. .. .	142
Adjournment motions <i>re</i> —	
Plunder of rice by Mussalies .. .. .	143
Relief to peasants of certain villages in Tahsil Tarn Taran ..	144
Hours of sitting .. .. .	146
Rules of Procedure .. .. .	147
Adjournment motion <i>re</i> Police raid in village Katani (Discus- sion) .. .. .	164

*Thursday, 13th January, 1938.*

Oath of Office .. .. .	189
Starred questions and answers .. .. .	189
Unstarred questions and answers .. .. .	238

*Thursday, 13th January, 1938—concluded.*

## PAGES.

## Adjournment motion—

<i>Re</i> strike of owners and drivers of motor taxis (leave to move) .. .. .	238
Rules of Procedure .. .. .	240

## Adjournment motion—

<i>Re</i> relief to peasants of certain villages in tahsil Tarn Taran (Discussion) .. .. .	259
--------------------------------------------------------------------------------------------	-----

*Friday, 14th January, 1938.*

Starred questions and answers .. .. .	293
Short notice questions and answers .. .. .	321
Unstarred questions and answers .. .. .	324
Statement <i>re</i> Bihta train disaster .. .. .	331
Adjournment motions .. .. .	332
Adjournment motion <i>re</i> strike by owners and drivers of motor taxis (Discussion) .. .. .	339

*Monday, 17th January, 1938.*

Questions by Parliamentary Secretaries .. .. .	361
Starred questions and answers .. .. .	361
Short notice questions and answers .. .. .	415
Unstarred questions and answers .. .. .	418
Procedure <i>re</i> Starred questions not reached during question hour ..	427
Supplementary Demands .. .. .	428

*Tuesday, 18th January, 1938.*

Starred questions and answers .. .. .	467
Unstarred questions and answers .. .. .	514
Resolution <i>re</i> repairs to Badshahi Mosque, Lahore .. .. .	520
Programme of Business .. .. .	562

*Thursday, 20th January, 1938.*

Starred questions and answers .. .. .	563
Unstarred questions and answers .. .. .	607
Resolutions <i>re</i> —	
Northern India Canal and Drainage Act .. .. .	610
Exemption from attachment of agricultural produce .. .. .	627

*Friday, 21st January, 1938.*

	Pages.
Starred questions and answers .. .. .	649
Short notice question and answer .. .. .	698
Unstarred questions and answers .. .. .	699
Right of Parliamentary Secretaries and Private Secretaries to ask questions and move resolutions or Bills on a non-official day .. .. .	702
The Punjab Unemployment Insurance Bill (Disallowed) ..	702
The Punjab Hours of Work Bill .. .. .	702
The Punjab Health Insurance Bill .. .. .	707
The Punjab District Boards (Amendment) Bill .. .. .	712
The Punjab Removal of Beggary Bill .. .. .	714, 722
The Punjab Land Revenue (Amendment) Bill .. .. .	714
The Punjab Fixation of Minimum Rates of Wages Bill ..	719
The Punjab Anti-Phooka Bill .. .. .	727
The Punjab Land Revenue (Amendment) Bill .. .. .	727
The Punjab Village and Small Towns Patrol (Amendment) Bill ..	729
The Punjab Municipal (Amendment) Bill .. .. .	731
The Punjab Muslim Aqaf Bill .. .. .	734

*Monday, 24th January, 1938.*

Starred questions and answers .. .. .	737
Short notice question and answer .. .. .	800
Unstarred questions and answers .. .. .	801
Privilege of members—Entrance into the Secretariat compound ..	803
Adjournment motions .. .. .	804
Papers laid on the table—Supplementary statement of expenditure authenticated by Governor .. .. .	806
Hunger-strike of political prisoners—Allotment of time for discussion .. .. .	807
The Punjab Motor Traffic Offences Bill .. .. .	809
The Punjab Alienation of Land (Amendment) Bill .. .. .	812
Rules of Procedure .. .. .	813

*Tuesday, 25th January, 1938.*

Starred questions and answers .. .. .	847
Behaviour of processionists in connection with release of political prisoners—allotment of time for discussion .. .. .	896
Election of members to serve on the Forest Board .. .. .	896

*Tuesday, 25th January, 1938—concluded.*

	PAGES.
Rules of Procedure .. .. .	898
Resolution <i>re</i> Release of hunger-strike prisoners .. ..	915
Allotment of time for discussion of conduct of processionists and hours of sitting .. .. .	940

*Thursday, 27th January, 1938.*

Starred questions and answers .. .. .	943
Unstarred questions and answers .. .. .	998
Regret by Chaudhri Muhammad Abdul Rahman Khan for certain offensive remarks .. .. .	1002
Statement laid on the table—Action taken by Government on resolutions of the Assembly .. .. .	1003
Rules of Procedure .. .. .	1003
Resolution <i>re</i> conduct of processionists at Lahore .. .. .	1047

*Friday, 28th January, 1938.*

Starred questions and answers .. .. .	1071
Short notice questions and answers .. .. .	1122
Rules of Procedure .. .. .	1126
Appendix .. .. .	
Index .. .. .	

# PUNJAB LEGISLATIVE ASSEMBLY.

1ST SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Monday, 10th January, 1938.

*The Assembly met at the Council Chamber at 11 A. M. of the clock. Mr. Speaker in the chair.*

## OATH OF OFFICE.

**Secretary :** Members who have not already done so to make and subscribe the oath.

**Sardar Hari Singh :** On a point of order, Mr. Speaker. I have the honour to draw your attention to section 67 of the Government of India Act referring to the point of oath taking. It reads :

Every member of a Provincial Legislative Assembly.....shall, before taking his seat make and subscribe before the Governor, or some person appointed by him, an oath—

Regarding this point I have the honour to submit that the order of the Governor appointing the person before whom oath is to be taken should be read out by the Secretary.

Next, I have the honour to draw your attention to the rule regarding the question hour of this House. It says that the first hour of every sitting shall be available for asking questions. This rule is mandatory and no other business even of a formal nature can be taken up and the time of the question hour should not be pilfered for other purposes even for a formal business like oath taking. (*The Honourable Mr. Manohar Lal :* Who is pilfering the time ?) I have further to draw your attention to the procedure of the House of Commons. Standing Order 83 of the House of Commons makes provision that oath can be taken or subscribed to at any time before or after the orders of the day and motions for the day are taken up. But the usual parliamentary practice is given in the House of Commons Manual of Procedure published in the year 1934, page 53 which says that the introduction of a new member takes place immediately after questions.

**Mr. Speaker :** The Governor has appointed the person presiding as the person before whom oath can be taken. Further, the practice of this House has been to take oaths before questions are taken up.

*The following members were then sworn in :—*

Munshi Hari Lal (South-Western Towns, General, Urban).

Khawaja Ghulam Samad (Southern Towns, Muhammadan, Urban).

Bhai Fatehjang Singh (South-East, Sikh, Rural).

Sardar Kishan Singh (Amritsar Central, Sikh, Rural) :

## STARRED QUESTIONS AND ANSWERS.

## SIKH REPRESENTATION IN DEPUTY COMMISSIONERS' AND COMMISSIONERS' OFFICES IN THE PUNJAB.

**\*734. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) district-wise and division-wise the percentage of Sikhs, Hindus, and Muhammadans in the offices of the deputy commissioners and commissioners of the Punjab ;
- (b) whether it is a fact that the number of Sikhs in the said offices is very small ; if so, the action, if any, Government propose to take to give them their proportionate representation ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) The attention of the honourable member is drawn to the information as given in serial Nos. 19—21 and 24 and 25 of the consolidated statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on the 1st January, 1937. It is regretted that district-wise figures are not available.

(b) If there is any marked disparity in the representation of any particular community, an effort will be made to rectify it when fresh recruitments are made, provided suitable candidates are forthcoming.

**Sardar Lal Singh :** Is the recruitment to the district offices based on provincial figures or on district population figures ?

**Minister :** On provincial figures.

**\*735—37. Cancelled.**

DIFFERENCE IN PAY, ETC., OF THE ANGLO-INDIAN AND INDIAN POLICE INSPECTORS, ETC.

**\*738. Malik Barkat Ali :** Will the Honourable Premier be pleased to state whether it is a fact that distinction is being maintained in the pay, scale of pay, allowances and in the matter of supply of residential quarters to Anglo-Indian inspectors of police and sergeants on the one hand and the Indian inspectors and sub-inspectors of police on the other ; if so, the reasons for the same ?

**The Honourable Major Sir Sikander Hyat-Khan :** There are separate scales of pay for European inspectors and Indian inspectors, the former receiving Rs. 25 more than the latter throughout. The house-rent allowances paid to European inspectors are also at a higher rate. This distinction was introduced in the past and is regulated by Police Rules.

It is correct that the pay, etc., of sergeants is greater than that of sub-inspectors, but there can be no comparison between the officers in these two ranks, as they perform entirely different duties.

## MUNICIPAL ELECTIONS OFFICER.

**\*739. Sardar Sahib Sardar Santokh Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) when the special Municipal Elections Officer was appointed and the reasons for the creation of this post ;

- (b) whether any of the municipalities made any representations to the Government for the creation of this post; if so, the names of such municipalities;
- (c) the total annual cost of this post and the improvements the Government expects as a result thereof;
- (d) whether the municipalities were consulted before the said post was created; if so, separately the names of those who were in favour of creating this post, and those who were not;
- (e) whether the Government is prepared to charge the cost of this newly created office on the provincial exchequer; if not, why not?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana:** (a) The Municipal Elections Officer, Punjab, was appointed in December, 1936, in order to prepare reliable electoral rolls of selected municipalities.

- (b) None.
- (c) The total cost of the post is Rs. 11,100 per annum. As accurate electoral rolls will be prepared by the Municipal Elections Officer Government *inter alia* expects that there will be less chances of personations at municipal elections.
- (d) None.
- (e) No. This post has been primarily created for the benefit of the municipal committees and there is no reason why the municipal committees should not be burdened with its cost.

#### RECRUITMENT OF ENGINEERS, ETC., FOR HAVELI PROJECT.

**\*740. Syed Mubarik Ali Shah:** Will the Honourable Minister for Revenue be pleased to state—

- (a) the total number of employees to be recruited in connexion with the Haveli Project, viz., engineers, assistant engineers, overseers, sub-overseers, draftsmen, tracers, clerks, barkandaz-peons, medical men, etc.;
- (b) the number of such employees as will be taken from the present employees of the Irrigation Department;
- (c) the number of such employees as are proposed to be taken from outside;
- (d) whether the principle of communal representation will be observed while making recruitment; if not, why not?

**The Honourable Dr. Sir Sundar Singh Majithia:** (a), (b) and (c) The information is given in the statement attached.

(d) Yes.

**Syed Mubarik Ali Shah:** How many appointments have so far been made?

**Minister:** You will find them in the column of the statement.

**Syed Mubarik Ali Shah:** It has not been provided to me.

**Minister:** The statement is being laid on the table—

*Statement.*

Serial No.	Establishment.	(a) Total number to be recruited in connection with the Haveli Project.	(b) Number taken from the present employees of the Irrigation Department.	(c) Number of employees taken from outside.
1	Superintending Engineers ..	2	2	..
2	Executive Engineers ..	6	6	..
3	Assistant Executive Engineers, Assistant Engineers and Temporary Engineers.	21	17	4
4	Divisional Accountants ..	4	4	..
5	Head Clerks—Circle and Division ..	10	10	..
6	Accounts Clerks ..	14	14	..
7	Assistant Clerks ..	87	44	43
8	Head Draftsmen ..	12	12	..
9	Draftsmen ..	14	6	8
10	Tracers and Ferro Printers ..	19	..	19
11	Cashier ..	1	1	..
12	Storekeepers ..	7	..	7
13	Artificers ..	17	(Not yet settled.)	..
14	Daftri ..	2	..	2
15	Jamadars and Chaprasis ..	55	12	43
16	Sowars ..	18	..	18
17	Dafadars and Barkandazes ..	65	17	48
18	Khalasis ..	42+1(A)	..	42+1 (A)
19	Bhishti ..	2½	..	2½
20	Sweepers ..	3+1(A)	..	3+1(A)
21	Mirabs ..	101	101	..
22	Revenue Peons ..	16	16	..
23	Hospital Coolies ..	½	..	½ (A)
24	Signallers including apprentices ..	10+1*	10+1*	..
25	Sub-Assistant Surgeons ..	2	2	..
26	Compounders ..	3	3	..
27	Overseers (permanent and temporary).	105	73	32
28	Deputy Collectors ..	2	2	..
29	Zilladars ..	14	14	..
30	Munshis ..	35	35	..

A Medical staff.

\* Not yet settled.

**FERRY CHARGES IN KANGRA DISTRICT.**

**\*741. Pandit Bhagat Ram Sharma:** Will the Honourable Minister for Public Works be pleased to state—

- whether it is a fact that the river Beas separates thana Jawalamukhi from thana Haripur in Kangra district;
- whether it is a fact that the area included in the said thana Haripur is more fertile and productive than the area in the other thana and the people of the latter have to cross the ferries joining those two areas to bring food-stuffs;

- (c) whether the per head charges on the ferries mentioned in (b) above have been recently increased and also similar charges on goods have now been introduced ;
- (d) if the answer to (b) and (c) above be in the affirmative, what action Government propose to take to give relief to the people of Jawalamukhi thana in respect of ferry charges ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) Thanas Haripur and Jawalamukhi are both situated on the same bank of the river Beas, but the latter thana has a few villages on the other bank also.

(b) It is correct that the area of thana Haripur is more productive than that of the few villages of Jawalamukhi thana which are on the opposite bank and people do cross over to Haripur but not solely for the purpose of obtaining food-stuffs.

(c) No.

(d) In view of the facts stated above no action on the part of Government is called for.

#### AMOUNT OF SECURITIES TAKEN FROM KIRTI AKHBAR.

**\*742. Sardar Rur Singh :** Will the Honourable Premier be pleased to state the amount of securities demanded from Weekly *Kirti*, Amritsar, since its start and the amount confiscated so far ?

**Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) :** The total amount of securities demanded from the various publishers of the Gurmukhi and Urdu *Kirti* (Amritsar) since their inception in 1926 and 1928, respectively, was Rs. 18,000 of which Rs. 13,000 were not deposited ; Rs. 3,000 were refunded and Rs. 2,000 were forfeited .

#### FORFEITURE OF SECURITY OF KIRTI AKHBAR.

**\*743. Sardar Rur Singh :** Will the Honourable Premier be pleased to state—

- (a) the amount of security so far confiscated of the *Kirti Akhbar*, Workers' Press and Dukhi Dunya Press and the date of the last order of confiscation ;
- (b) whether it is a fact that the action was taken on account of the publication of presidential address of Munshi Ahmad Din, delivered by him at Mazdoor Kisan Conference held at Cheema Kalan, district Jullundur ;
- (c) whether the Government is aware that the alleged seditious speech of Munshi Ahmad Din has not been so held by the High Court and he has been released ;
- (d) whether the Government is prepared to refund the forfeited security ;
- (e) whether the Government is aware that owing to the forfeiture of this security of the Press, the publication of the *Gurmukhi Kirti* had to be suspended ;

[S. Rur Singh.]

- (f) whether any fresh order of forfeiture of security has been given regarding the *Kirti Akhbar*, Lahore, and if so, the reasons therefor?

**Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana):**

			Rs.
(a) <i>Kirti Akhbar</i> (Gurmukhi)	..	..	2,000
Workers' Press	..	..	2,000
Dukhi Dunya Press	..	..	1,000
7th June, 1937.			

(b), (c) and (d) No.

(e) Yes.

(f) No.

#### MOTOR ACCIDENTS.

**\*744. Maulvi Mazhar Ali Azhar:** Will the Honourable Minister for Revenue be pleased to state—

- the number of motor accidents that took place in the Punjab during the quarter ending March 31, 1937;
- the number of those which led to prosecution;
- the number of those which remained unprosecuted and the reasons for the same?

**The Honourable Dr. Sir Sundar Singh Majithia:** (a) 221 accident cases came to the notice of the police during the quarter named.

(b) In 141 of these prosecutions were instituted. In addition 26 cases were still under investigation at the end of the quarter.

(c) 2 cases had to be filed as untraced, as no particulars of the vehicles or the drivers could be ascertained. In the remaining 52 cases the enquiries established that none of the persons concerned had committed any criminal offence.

#### ALLOWANCE TO THE MEMBERS OF THE FAMILY OF STATE PRISONER, S. CHANNAN SINGH.

**\*745. Shrimati Raghubir Kaur:** Will the Honourable Premier be pleased to state whether the Government pays any allowance to members of the family of Sardar Channan Singh, a state prisoner; if so, the amount so paid; if not, the reasons therefor and whether the Government proposes to give any allowance now?

**Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh):** No allowances are paid by Government to the members of the family of state prisoner Channan Singh, as none of them are dependent on him.

**HARSH TREATMENT TO SARDAR HARBANS SINGH AND OTHER POLITICAL SUSPECTS IN LAHORE FORT BY POLICE.**

**\*746. Shrimati Raghbir Kaur :** Will the Honourable Premier be pleased to state—

- (a) whether the Government is aware of the allegation of harsh treatment at the hands of the police officers meted out to the political suspects detained for two months in the fort, Lahore, under the Criminal Law Amendment Act ;
- (b) whether the Government is aware of the harsh treatment accorded by the police officers to Sardar Harbans Singh of village Bandala, district Jullundur, who has recently come out of the fort at Lahore ;
- (c) if the answer to (b) is in the affirmative, what action the Government has taken or is prepared to take ?

**Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) :** (a) and (b) No.  
(c) Does not arise.

**SUMMER VACATION FOR SCHOOLS IN THE PUNJAB.**

**\*747. Sardar Hari Singh :** Will the Honourable Minister for Education be pleased to state whether the recent amendment to article 214 of the Punjab Education Code extending the period of summer vacation to two calendar months is mandatory in the case of privately managed recognized schools ?

**The Honourable Mian Abdul Haye :** It is not mandatory.

**LORRY STAND IN AMRITSAR.**

**\*748. Maulvi Mazhar Ali Azhar :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that some persons are running a private motor lorry stand on municipal land outside the Hall Gate, Amritsar ;
- (b) the reasons why the police has not taken any action against such persons ;
- (c) whether it is a fact that the matter has been brought to the notice of the Government by the Punjab Motor Union ;
- (d) the steps the Government proposes to take in this connexion ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) No. An unauthorised lorry stand formerly existed on municipal land outside the Hall Gate at Amritsar, but it was closed down by the municipal committee some months ago.

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

## GRANT OF RELIEF TO PEASANTS OF TAHSIL TARN TARAN.

**\*749. Sardar Rur Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether any grant is proposed to be given to tahsil Tarn Taran, district Amritsar, for the relief of the peasants of the tahsil in addition to the remission, if any ;
- (b) if the answer to (a) be in the affirmative, when that grant will be distributed to the peasants of the tahsil ;
- (c) the amount, if any, that is proposed to be given to the peasants of the village Weinpoin of Tarn Taran tahsil ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a), (b) and (c) In addition to the relief given in rabi 1937 the question of relief that may be given during kharif 1937 is under consideration and will finally be decided after examining the kharif crops of the hail stricken area.

## ELECTION OF LAMBARDARS, ETC., TO LOCAL BODIES ON CONGRESS TICKET.

**\*750. Sardar Hari Singh :** Will the Honourable Premier be pleased to state whether the Government has issued any instructions forbidding *lambardars*, *zaildars*, etc., to stand on Congress tickets for election to the local bodies and the legislature ; if so, reasons for the same ?

**Parliamentary Secretary (Mir Maqbool Mahmood) :** No such instructions have been issued by Government.

**Sardar Hari Singh :** Has the Government got any objection to these dignitaries standing on the Congress ticket ?

**Parliamentary Secretary :** It will have to be considered with regard to each case on merits as to how far the political activities of the person concerned interfere with his other duties.

**Sardar Hari Singh :** Was this not present in the mind of the Government at the time of passing the Removal of Disqualifications Bill ? Were the instructions issued by the Government after the last elections that those *lambardars*, etc., who had supported the Congress candidates, should be reported confidentially ?

**Parliamentary Secretary :** I require notice for that question.

**Lala Duni Chand :** Will Government take any disciplinary action or not against *lambardars*, *zaildars*, etc., standing on the Congress ticket ?

**Lala Duni Chand :** Is it not a fact that some *lambardars* are standing on Congress tickets for certain elections, and is the Government contemplating to take any action against them ?

**Parliamentary Secretary :** I am not expected to answer an indefinite question.

**Lala Duni Chand :** I am informed that a certain *lambardar*, standing on Congress ticket for the district board election in Ambala district is being removed.

**Pandit Muni Lal Kalra :** Is it a fact that a *lambardar* in village Bundli in the district of Ludhiana has been removed from office for taking part in political meetings ?

**Parliamentary Secretary :** I want notice of that question.

**Mian Muhammad Iftikhar-ud-Din :** Why should any distinction be made between the members of various political parties? When a member belonging to the Unionist Party can take part in elections, why should any member belonging to any other constitutional political party like the Congress, be prevented from taking part in elections and politics?

**Parliamentary Secretary :** I have already stated that no instructions have been issued by the Government regarding that matter. Honourable member is probably aware that he himself was a lambardar and member of the Congress when he stood for election to the Assembly. There are some lambardars, zaildars and sufaidposhes who are even now in the Congress. It depends upon their activities and if they are of a subversive character, action will have to be taken against them.

**Mian Muhammad Iftikhar-ud-Din :** If they are of subversive character, legal action should be taken against those members, but if their activities are totally legal, I do not know why any obstacle should be put in their way.

**Sardar Hari Singh :** Are we to understand that it is the decided view of the Government that it can prevent certain lambardars in certain cases from standing on Congress ticket? Is it the decision of the Government that it can interfere in the choice of these people standing on the ticket of any party they like?

**Lala Deshbandu Gupta :** Is it not a fact that a lambardar or zaildar, by the very fact that he joins the Congress incurs the displeasure of the Government?

**Lala Duni Chand :** In view of the several pending elections will the Government be prepared to issue instructions regarding lambardars standing on Congress tickets?

**Dr. Gopi Chand Bhargava :** Will the Honourable Minister let us know whether Mian Muhammad Iftikhar-ud-Din was called by the Deputy Commissioner and asked whether he would like to be removed or would he resign after he had been elected on the Congress ticket?

**Parliamentary Secretary :** I want notice of that question.

**Sardar Hari Singh :** On what considerations does the Government object to these people standing on the Congress ticket?

#### SENDING OF GURMUKH SINGH TO ANDAMANS.

**\*751. Shrimati Raghbir Kaur :** Will the Honourable the Finance Minister be pleased to state whether Gurmukh Singh was suffering from bleeding piles at the time he was deported to the Andamans and being old and weak he also expressed his inability to go to the Andamans; if so, whether the Government is prepared to re-consider his case?

**The Honourable Mr. Manohar Lal :** Gurmukh Singh suffers in intermittently from external bleeding piles. At the time of his deportation to the Andamans his health was certified by a Medical Board to be quite good enough for deportation. He has since been repatriated to the Punjab.

**Shrimati Raghbir Kaur (Urdu):** I would like to enquire why Sardar Gurmukh Singh was transported to Andamans in spite of ill health.

**Minister:** Does that arise from that question? I have already said that he was not so ill as to be unfit to be deported to the Andamans.

**Lala Deshbandhu Gupta:** Is the Government making adequate arrangements for providing medical relief for this gentleman?

**Minister:** If by "adequate" is meant that arrangement which is required in the case, Yes.

**Sardar Hari Singh:** On what grounds was he sent to the Andamans?

**Minister:** He was sent to the Andamans along with certain number of terrorist and political prisoners.

**Sardar Hari Singh:** On what consideration?

**Minister:** Just on the consideration that any other prisoner under these circumstances is sent to the Andamans.

**Sardar Hari Singh:** Have these circumstances disappeared now?

**Minister:** I think the honourable member should know the circumstances under which certain number of prisoners have been brought back from the Andamans.

**Sardar Hari Singh:** Have the political circumstances changed since?

**Minister:** I have already answered the question. It is not a question of change of political circumstances but a strong appeal was made to the Government that certain political prisoners who were kept abroad might be brought back and Government granted that request and repatriated these prisoners.

**Sardar Harjab Singh:** Has his illness of bleeding piles been accentuated in the Andamans?

**Minister:** I have already answered the question. He is suffering intermittently from external bleeding piles.

**Sardar Hari Singh:** Will the Honourable Minister for Finance please definitely, clearly and unequivocally state whether the circumstances of the dangers inherent in his being kept away, that were present in the mind of the Government in the first instance, have disappeared now?

**Minister:** May I, with your permission, make a small observation? Is the honourable member entitled to say that I try to evade answering his question? As I replied to it fully, it is not open to the honourable member to suggest that I am evading.

**Lala Duni Chand:** Is the belief in the principles of communism a ground of transferring any prisoner to Andamans?

**Pandit Muni Lal Kalia:** When was he last medically examined?

**Minister:** He was examined on Government's own enquiry so recently as about the middle of November, 1937.

**Pandit Muni Lal Kalia:** When was this question received?

**Minister:** I do not know when the question was received.

**Sardar Hari Singh :** Is it a fact that he is on hunger-strike now ?

**Minister :** That does not arise out of this question.

**Munshi Hari Lal :** What is his present state of health ?

**Minister :** I am not in a position to give information about the present state of health of this prisoner, if by that is meant during the past week or so. I made enquiries about the middle of November about the state of health of this prisoner Gurmukh Singh. We found that on that date his weight was 188 lbs., i.e., about 12 lbs. above the standard weight. His main complaints are chronic constipation and bleeding piles. He also complains of slight pain in the right knee joint which is neither swollen nor has any sign of water nor is there any history of injury to this part. As regards his digestive system, his gums are healthy, his tongue is clean, he wears a denture. His spleen is normal, his liver is normal. He has a post-operative scar mark about seven inches long on the right side of the abdomen. The prisoner states that he had an operation in America for gallstones. Appetite not impaired. Suffers from external piles which bleed off and on. As regards his circulatory system, his pulse is regular, his heart is normal, and the condition of the arteries is healthy. As regards his respiratory system, his lungs are normal. His urinary system is normal. There is nothing particular to note about his nervous system or muscular system and he does not suffer from any glandular enlargement and his physique is good.

**Munshi Hari Lal :** What does the Honourable Minister mean by "standard weight" ?

**Minister :** I am not a medical expert, but I take it that standard weight is arrived at by reference to a person's age, his height and similar circumstances.

**Sardar Hari Singh :** Is it a fact that his present state of health is in immediate danger on account of hunger-strike ?

**Minister :** I do not know how the question of hunger-strike arises in connection with question No. 751 which was addressed to me by the honourable member.

**Sardar Hari Singh :** It arises out of your statement regarding his health.

**Minister :** I have detailed his state of health as reported by our medical experts about the middle of November, 1937. I do not know what his state of health yesterday was.

**Sardar Hari Singh :** Is it a fact that his state of health is in danger on account of hunger-strike ?

**Minister :** I would say, "No."

**Sardar Hari Singh :** I am satisfied.

**Dr. Gopi Chand Bhargava :** What sort of diet was he getting in November and what diet is he getting now keeping in view the chronic constipation and piles he is suffering from ?

**Minister :** If the honourable Leader of the Opposition will give notice of the question, I will obtain precise information about the diet he is receiving at present, and the diet he was receiving in November, 1937.

COMRADE SHIV SINGH.

**\*752. Master Kabul Singh :** Will the Honourable Premier be pleased to state—

(a) whether his attention has been drawn to a news published in the *Vir Bharat*, Lahore, in its issue, dated 15th July regarding one Shiv Singh ;

(b) whether Shiv Singh has been released and interned in some village ; if so, the correct information about him ?

**Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) :** (a) Yes ;

(b) It is understood that Shiv Singh was released from the Naini Jail on the 21st August, 1937. The Punjab Government have no further information.

**Sardar Hari Singh :** On a point of Parliamentary enquiry, may I know under what rule a Parliamentary Secretary can answer a question on behalf of the Minister in charge of a certain department ?

**Mr. Speaker :** Will the honourable member please refer to the definition of " Member of the Government " ? " Member of the Government " means a Minister and includes any member to whom such Minister may delegate any function assigned to him under these rules " Under these Rules it is the Minister who has to reply to questions and, therefore, his Parliamentary Secretary can answer questions on his behalf.

**Sardar Hari Singh :** Will you kindly enquire from the Parliamentary Secretary concerned whether the Minister for whom he is answering these questions has delegated to him those powers and if so, has he delegated those powers in a proper manner ?

**Mr. Speaker :** The House may take it that power to answer questions has been duly delegated to the Honourable Member, otherwise he would not have answered the question.

**Lala Bhim Sen Sachar :** Is this delegation to be in writing or by word of mouth ?

**Mr. Speaker :** The delegation may be in writing or oral.

**Sardar Hari Singh :** Before answering these questions, did he not offer to you a statement saying that these powers had been delegated to him ?

**Mr. Speaker :** The next question, please.

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SUB-DIVISIONAL OFFICER, PINDIGHEB AND SARDAR BINDA SINGH.

**\*753. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether he is aware of the fact that Sub-Divisional Officer, Pindigheb, district Attock, used force and insulted Sardar Binda Singh, representative of the public on the occasion of inquiry held by him recently into the complaint against staff of the District Board Talagang Girls' School ; if so, the action that Government proposes to take in the matter ?

**Parliamentary Secretary (Mir Maqbool Mahmood):** Government have enquired into the allegations made by Sardar Binda Singh against the Sub-Divisional Officer, Pindigheb, and find that while under the orders of the Deputy Commissioner the Sub-Divisional Officer was conducting an inquiry in camera, Sardar Binda Singh attempted to force an entrance and interfere in the proceedings. The Sub-Divisional Officer thereupon personally turned him out of the room. In the circumstances, Government see no reason to take any action in the matter.

#### REPORTS OF PROCEEDINGS OF PUBLIC MEETINGS IN THE PUNJAB.

**\*754. Sardar Hari Singh:** Will the Honourable Premier be pleased to state—

- (a) the arrangements that are made by the Government to take reports of proceedings of public meetings in the Punjab;
- (b) the steps that are taken to ensure and test their correctness;
- (c) whether he personally examines the reports of important meetings?

**Parliamentary Secretary (Mir Maqbool Mahmood):** (a) and (b) It is not in the public interest to supply the information asked for.  
(c) Yes.

**Sardar Hari Singh:** Is it a fact that majority of these Reporters do not know shorthand. Is Government aware that while appearing in courts as prosecution witnesses most of the Reporters have not been able to take down notes of the speeches delivered by the accused in courts?

**Parliamentary Secretary:** I am not aware of that.

**Sardar Hari Singh:** Will he make enquiries into that?

**Parliamentary Secretary:** Yes, if the honourable member gives me due notice.

**Pandit Muni Lal Kalia:** With regard to the question put by Sardar Hari Singh, we were asking not about the contents of any speeches but about the arrangements which are public and open to the eye of everybody. There is no question of privilege. I think the answer should be quite clear on the point.

**Mr. Speaker:** What is the honourable member's reply?

**Parliamentary Secretary:** It is not in the public interest to supply the information asked for.

**Sardar Hari Singh:** What are the usual average qualifications of these Reporters?

**Parliamentary Secretary:** I want notice for that question. If my honourable friend desires to have information and gives me notice I shall be delighted to answer his questions.

**Lala Duni Chand :** Have Government made any kind of enquiries whether the Reporters are competent to take reports of the proceedings of the meetings?

**Lala Bhim Sen Sachar :** Is it a fact that Government have been pleased to make special arrangements for reporting public utterances of a certain Minister of this House?

**Parliamentary Secretary :** I want notice for that question.

**Sardar Hari Singh :** Is Government aware that there are several complaints as to the inability of the Reporters for reporting correctly, resulting in the conviction of innocent people?

**Parliamentary Secretary :** If the honourable member will invite my attention to any specific cases they will be looked into.

**Sardar Hari Singh :** Is Government aware of it or not?

**Parliamentary Secretary :** Not so far.

**Lala Deshbandhu Gupta :** Have Government received any complaint on that score so far?

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#### APPROPRIATION ACCOUNTS FOR THE YEAR 1935-36.

**\*755. Lala Bhim Sen Sachar :** Will the Honourable Minister for Finance be pleased to state—

- (a) whether the Appropriation Accounts for the year 1935-36 and the Audit Report, 1937, have been published ;
- (b) when they are likely to be placed before the Public Accounts Committee ;
- (c) the reasons for not placing them before the Public Accounts Committee so far ?

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

(b) and (c) They are not to be placed before the Public Accounts Committee, because the Public Accounts Committee of the new legislature has no power to consider the appropriation accounts for the period before the commencement of Part III of the Government of India Act, 1935.

**Lala Bhim Sen Sachar :** Shall I be right to infer that the existing Public Accounts Committee was wrongly constituted at the time of its election during the first session of the Assembly?

**Minister :** I do not know whether the honourable member is justified in addressing that question to me. I have no reason to think that the Public Accounts Committee was in any manner wrongly constituted.

**Lala Bhim Sen Sachar :** When the Public Accounts Committee is rightly constituted under Rule 47, what prevents Government from referring the appropriation accounts to that committee?

**Minister :** For the simple reason that the Public Accounts Committee of the new legislature, as I have already informed the honourable member can consider the accounts subsequent to the coming into operation of Part III of the Government of India Act, 1935.

**Lala Bhim Sen Sachar :** What prevents the committee from examining these accounts? If the Government feel like submitting these accounts to the committee will that committee be not competent to examine those accounts?

**Minister :** I think I have fairly answered that question. It is not a matter of Government feeling one way or the other. It is a question of the jurisdiction of the Public Accounts Committee.

**Lala Bhim Sen Sachar :** May I draw the attention of the Honourable Minister to Rule 47 wherein it is laid down that the committee will have jurisdiction over appropriation accounts and also such other matters as the Finance Department may refer to that committee. My question is this : when the Government find it legally difficult for the committee to take notice of the appropriation accounts, will it not be right for the Government to consider the desirability of otherwise placing those accounts before the committee?

**Minister :** I have answered the question. If the honourable member can write a commentary on the expression "otherwise" I shall be glad to answer the question.

**Lala Bhim Sen Sachar :** May I know the arrangements which Government propose to make for having these accounts scrutinised?

**Minister :** It seems to me answering the same question again. I have already intimated that the Public Accounts Committee now constituted is not entitled to examine or report on the accounts prior to the coming into operation of Part III of the Government of India Act, 1935. That finished the matter. The report is duly published. If any honourable member wishes to bring any matter to my notice in connection with that report I shall be glad to consider it; but the Public Accounts Committee as a committee is not to consider those accounts which relate prior to the period with which it is immediately concerned.

**Lala Bhim Sen Sachar :** Do I understand that these accounts under reference will go absolutely unexamined?

**Minister :** By this Public Accounts Committee.

**Lala Bhim Sen Sachar :** Will they be examined by a subsequent Public Accounts Committee which may be constituted hereafter?

**Minister :** Even less.

**Lala Bhim Sen Sachar :** I am afraid my knowledge is rather defective for following the reply.

**Minister :** The Public Accounts Committee constituted during the year 1937 under the Act is not competent to look into the public accounts prior to the year : I say even less would the Public Accounts Committee constituted in 1938 be competent to examine those accounts.

**Lala Bhim Sen Sachar :** Am I right in the view that these accounts will not be submitted to any Public Accounts Committee?

**Minister :** Yes.

**Lala Bhim Sen Sachar :** Is Government aware that previous to this there have been irregularities which were detected subsequently and the Public Accounts Committee had in several cases even suggested punishments? Will all those irregularities go undetected in the accounts under reference?

**Minister :** Which irregularities?

**Lala Bhim Sen Sachar :** Is it not within the knowledge of the Honourable Minister that previously there have been some irregularities, for instance spending beyond the sanctioned limits, some extra expenditure, and not complying with certain rules, etc.? Those cases were brought to the notice of the Public Accounts Committees and they had in some cases even suggested punishing certain officers for certain omissions. There will not be any scrutiny with regard to these accounts to which I am making reference now.

**Minister :** There will not be any scrutiny by the Public Accounts Committee, but that does not mean that the report is not fully examined.

**Lala Bhim Sen Sachar :** Has the Honourable Minister made reference to the Governments of other provinces with a view to know if they are placing the accounts before any Public Accounts Committee?

**Minister :** That does not arise out of the original question.

#### GRANT OF LICENCES TO ELPHINSTONE AND MOVIES THEATRES AT SIMLA.

**\*756. Sardar Hari Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether he is aware that Elphinstone theatre is the oldest theatre in Simla;
- (b) whether it is a fact that in December, 1936, at the conclusion of the annual inspection both Elphinstone and Movies theatres were granted temporary licences in the first instance pending certain structural alterations to be carried out in accordance with cinematographic fire-proof regulations;
- (c) whether it is a fact that in April last a permanent licence was issued to the Movies, while Elphinstone theatre was refused a similar licence;
- (d) if the answer to (c) be in the affirmative, the reasons for this invidious distinction?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b), (c) and (d) As the result of an inspection carried out by the Executive Engineer in December, 1936, it was decided that these buildings ought not to be used any longer for cinematograph exhibitions unless the inflammable materials employed in their construction were replaced. Temporary licences were given in order to give the licensees time to carry out a reconstruction. In May 1937 on the advice of the Executive Engineer, the District Magistrate granted a new permanent licence for the Movies in the structure of which important changes had been made. The Executive Engineer and the District Magistrate were unable to approve the building of the Elphinstone as fit for continued use as a cinema house.

## PRISONERS IN THE ANDAMANS.

**\*757. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Finance Minister be pleased to state—

(a) whether it is a fact that in the year 1931, the Government announced that no political prisoners would be sent to the Andamans ;

(b) whether Sardar Gurmukh Singh has been sent to the Andamans ?

**The Honourable Mr. Manohar Lal :** (a) No such announcement was made in 1931.

(b) Gurmukh Singh was deported to the Andamans in February, 1937, with the approval of the Government of India. He has recently been repatriated to the Punjab.

## WORKERS IN FACTORIES AT LUDHIANA.

**\*758. Shrimati Raghubir Kaur :** Will the Honourable Minister for Development be pleased to state—

(a) whether it is a fact that there are several hosiery factories, registered under the Factories Act, in Ludhiana ;

(b) whether it is also a fact that according to the Factories Act the workers are permitted to enjoy Sundays as holidays ;

(c) whether the Government is aware that some factory owners do not allow workers to observe Sundays as holidays ; if so, the action that the Government intends taking in the matter ?

**The Honourable Chaudhri Sir Chhotu Ram :** (a) Yes.

(b) Under section 35 of the Factories Act, workers are privileged to enjoy one weekly holiday, though not necessarily Sunday.

(c) Many of the factories give the weekly holiday on days other than Sundays. Action by Government is therefore not necessary.

**Pandit Muni Lal Kalra :** Have there been any cases registered under the Factories Act violating these rules ?

**Minister :** Not to my knowledge.

## DAMAGE TO CROPS IN FEROZEPUR DISTRICT.

**\*759. Sardar Rur Singh :** Will the Honourable Minister for Revenue be pleased to state—

(a) the names of villages in the Ferozepur district, where the crops were damaged by hailstorms in the month of April, 1937 ;

(b) the amount of remission sanctioned to each village affected by the calamity in the said district ;

(c) whether any damage was done to the crops in the villages named Jhugian and Jogewala in Zira tahsil ; if so, the extent of the damage ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) and (b) A statement is placed on the table. In villages for which no amount remitted has been shown the damage has been too little to deserve any remission under the rules.

[Hon. Dr. Sir Sundar Singh Majithia.]

(c) No damage was done to the crops in village Jhugian. In Jogewala, out of 414 acres sown an area of 66 acres was affected.

**Lala Deshbandhu Gupta :** Was there any representation made by the villagers that the remission made was inadequate?

**Minister :** They have been given remission under the rules.

**Lala Deshbandhu Gupta :** Is it a fact that after the remission was given a representation was made by the villagers that the remissions were inadequate and not sufficient to cover their losses?

**Minister :** I have no knowledge of it.

**Sardar Rur Singh :** Is it a fact that in village Jogewala Jhugian in Zira tahsil a zamindar possesses land in which cultivation is being done by his tenants? A damage less than  $\frac{1}{2}$  has been done to the above-mentioned area. How can a damage done on one side be applied to the whole of the village?

*List of villages in the Ferozepore district in which crops were damaged by hailstorms in April, 1937.*

1. Jodh Pura.	24. Burj Dona.
2. Rauke Kalan.	25. Harya Wala.
3. Lapon.	26. Mahla Kalan.
4. Bir Badhani.	27. Mahla Khurd.
5. Bir Rauke.	28. Jogewala.
6. Badhani Kalan.	29. Amin Wala.
7. Talwandi Bhangarian.	30. Nangal.
8. Landheke.	31. Monge Wala.
9. Kotla Mehar Singh.	32. Amir Khas.
10. Nathoke.	33. Chak Sukar.
11. Dosanj.	34. Lakhoke Hithar.
12. Baghapurana.	35. Pir Bux Chohan.
13. Gill.	36. Mohkam Arsin.
14. Rajiana.	37. Kahnawala.
15. Budh Singh Wala.	38. Harike Kalan.
16. Chanun Wala.	39. Asa Butter.
17. Vairoke.	40. Khokhar.
18. Ladhaika.	41. Serai Nanga.
19. Mari.	42. Gandhar.
20. Sangat Pura.	43. Nand Garh.
21. Kotla Raika.	44. Madahar Kalan.
22. Gholia Khurd.	45. Moth Wala.
23. Gholia Kalan.	46. Mallan.

*Amount remitted on account of damage.*

Name of village.			Amount remitted.			
			Rs.	A.	P.	
Talwandi Bhangarian	..	..	114	13	6	Land Revenue.
Nangal	..	..	2	5	0	"
Mongewala	..	..	95	3	0	"
Jodhpur	..	..	25	0	0	Abiana.
Amir Khas	..	..	9	0	0	"
Chak Sukar	..	..	6	14	0	"
Lakhoke Hithar	..	..	25	0	0	"
Pir Bux Chohan	..	..	18	0	0	"
Mohkam Arsin	..	..	18	0	0	"
Kahnawala	..	..	4	9	0	"
Bir Rauke	..	..	231	13	0	"
Bir Badhani	..	..	314	8	0	"
Lapon	..	..	233	12	0	"
Rauke Kalan	..	..	325	12	0	"
Badhani Kalan	..	..	123	7	0	"
Khokhar	..	..	17	4	0	"

REPRESENTATION OF SIKHS IN THE OFFICE OF THE DEPUTY COMMISSIONER, LUDHIANA.

**\*760. Sardar Lal Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the total strength of the staff of the English and Vernacular branches of the office of the Deputy Commissioner, Ludhiana ;
- (b) the number of Sikhs among the staff ;
- (c) whether the Sikhs are adequately represented on the said staff in the office of the Deputy Commissioner, Ludhiana ; if not, the action that the Government proposes to take to make up their deficiency ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) One hundred and seventeen (this includes temporary posts also).

(b) twenty-three.

(c) Yes.

**Sardar Lal Singh :** What is the percentage of the Sikh staff ?

**Minister :** Can you not work it out ?

**Sardar Lal Singh :** I can work it out. I want to know—

**Minister :** It is about 20 per cent.

**Sardar Lal Singh :** I want to know whether the representation of the Sikhs is not meagre according to the rules framed by the Government in view of the fact that the population of Sikhs is 50 per cent. and their representation is only 20 per cent. ? Can a man from Ludhiana district get a job in the office of Deputy Commissioner, Rawalpindi ?

**Minister :** There is no bar to it.

MIDDLE SCHOOL FOR BOYS AND GIRLS IN MAKHAD.

**\*761. Pir Mohy-ud-Din Lal Badshah :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that in Makhad town, district Attock, there is only a primary school for boys and no school for girls ;
- (b) whether it is a fact that in many villages of the Attock district, whose population is less than that of Makhad there are middle schools for boys and also school for girls ;
- (c) whether it is a fact that the Majlis-i-Ansar-ul-Muslimeen has submitted several applications to the authorities concerned to open a middle school for boys and also a girls' school in Makhad ;
- (d) whether it is a fact that the Majlis referred to above has promised to deposit money in advance for additional expenditure, etc. ;
- (e) if the answers to (a), (b), (c) and (d) be in the affirmative, what action the Government intends to take in the matter ?

**The Honourable Mian Abdul Haye :** (a) Yes.

(b) Yes.

[Hon. Mian Abdul Haye.]

- (c) Yes.
- (d) No such promise was received by any officer of the Education Department.
- (e) If the small town committee, Makhad, applies through the usual channel, the matter will be examined and considered.

MOTOR LICENSES FOR UNA, BHARWAIN AND SANTOKH-GARH ROAD.

**\*762. Master Kabul Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the conditions and terms for the grant of motor licences on the Una, Bharwain and Santokh-garh sections of Hoshiarpur District Board roads ;
- (b) the names of those who have held these licences since these three sections were opened for motor traffic ;
- (c) whether it is a fact that different persons have been granted such licences for different periods ; if so, the reasons for the same ;
- (d) whether it is also a fact that in some cases one licence-holder for a particular section has been asked to ply motors on hire on another section to make room for some other person granted licence ; if so, the reasons for the same ;
- (e) whether it is a fact that L. Amolak Ram, one of the licence-holders, is allowed to ply from Hoshiarpur to Kangra and that other similar licence-holders are prohibited beyond Bharwain ; if so, the reasons for this differential treatment ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** I regret that the answer to this question is not yet ready. It will be supplied to the honourable member when ready.

MRS. COMRADE RAM CHANDRA.

**\*763. Master Kabul Singh :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that the wife of one Comrade Ram Chandra, B.A., national, was not properly attended to by the staff of the Mayo Hospital even when their attention was drawn to the precarious condition of the patient ;
- (b) whether it is a fact that the officer in charge was informed on the telephone about the seriousness of the condition of the patient and he did not care to attend himself or make arrangements for the proper looking after of the patient ;
- (c) if the answer to (a) above be in the affirmative, whether the Government proposes to hold an inquiry into this particular case to find out the reasons of the negligence of the Mayo Hospital staff ;

- (d) the rules about attendance on indoor patients lying in a precarious condition in the hospital ;
- (e) the number of visits per day the officer in charge is required to pay to the indoor patients mentioned in (d) above ;
- (f) the number of visits per day the officer in charge, Mayo Hospital, paid to the late wife of Comrade Ram Chandra, B.A., national ;
- (g) whether the officer in charge was present at the time she expired ;
- (h) if the answer to (g) above be in the affirmative how long before her death he had arrived ;
- (i) if the answer to (g) above be in the negative, the reasons why he did not attend or depute any one out of his subordinate medical officers to attend to the patient at that critical stage ?

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

#### STOPPING OF LALA MUTSADI LAL BY POLICE.

**\*764. Pandit Shri Ram Sharma :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that a head constable and two constables at Rewari forcibly stopped one Lala Mutsadi Lal, a congress worker, from proceeding to Palwal to attend a congress meeting recently ;
- (b) whether he was shown any written order to the effect on a demand being made by him ;
- (c) whether it is also a fact that a complaint was at once made to the Superintendent of Police regarding the matter ;
- (d) whether any action was taken on this complaint ; if not, why not ?

**Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) :**

(a) and (b) No. It has, however, been ascertained that on the 4th July, 1937, one Mutsadi Lal Rustagi of Rewari made a report to the effect that on his way from Rewari to Palwal by lorry he was stopped at Sohna by two police constables in uniform (one of them, according to him, was well-known to him) and prevented from proceeding to Palwal or Gurgaon. Mutsadi Lal demanded the orders for his detention, which the constables refused to produce. A report of the alleged incident was recorded at the Sohna police station and the case investigated.

(c) Yes.

(d) Mutsadi Lal was given every facility to identify the constables who are alleged to have detained him, but failed to do so. He was also unable to produce any witnesses or other evidence in support of his story.

## RE-SETTLEMENT OF LAHORE DISTRICT.

**\*765. Sardar Muzaffar Ali Khan :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether the Government received a petition signed by about eight thousand zamindars of the Lahore district against (i) the re-settlement of Lahore district and (ii) the prices fixed by the settlement officer ;
- (b) the action the Government has taken or proposes to take on the petition referred to in (a) above ;
- (c) whether the Government has been pleased to announce that after the completion of Amritsar and Lyallpur re-settlements there shall be no enhancement of land revenue for a period of five years ; if so, whether the Government intends to make a similar announcement in the case of Lahore district also ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) (i) No.

(ii) A large number of objections to the commutation prices proposed by the settlement officer were received.

(b) The objections were duly considered by the Financial Commissioner before accepting the proposals of the settlement officer. Most of these objections were based on a misunderstanding of facts.

(c) The answer to the first part of this question is in the affirmative. As regards Lahore, no decision has yet been reached.

## QILA GIFT FUND.

**\*766. Seth Ram Narain Virmani :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether the Government is prepared to lay on the table of the Assembly the original as well as the revised rules governing the disbursement of the Qila Gift Fund in the Lyallpur district ;
- (b) the number of trustees who have been appointed community-wise from the Hindu, Muslim and Sikh communities ;
- (c) whether there is any community which has not been given representation on this trust ; if so, whether the Government intends to revise the rules so as to give adequate representation to each of the three communities ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) A copy of the original<sup>1</sup> instrument of declaration of trust and the amendments made thereto is placed on the table.

(b) As a result of the amendment of the instrument of declaration of trust in September, 1937, in order to provide for due representation to all communities, the present trustees have vacated office. Steps are being taken to arrange for the election and appointment of new trustees in accordance with the amended paragraph 3 of the trust deed.

(c) Does not arise.

<sup>1</sup>Kept in the Assembly Library.

SIMLA MUNICIPAL COMMITTEE.

**\*767. Mian Muhammad Iftikhar-ud-Din :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that out of eleven members of the Simla Municipal Committee only three are elected ;
- (b) if the answer to (a) above be in the affirmative, whether the Government proposes to take steps to throw open to election such number of seats in the Simla Municipal Committee as to ensure a majority of the elected members therein ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) The constitution of the Simla Municipal Committee is twelve members, of whom 3 are elected and 9 appointed ;

(b) Not at present but Government propose to reconsider the whole matter at the earliest opportunity.

**Lala Deshbandhu Gupta :** Will the Honourable Minister be pleased to state whether the wishes of the Government of India were any way responsible for allowing only three elected seats out of twelve ?

**Minister :** That is past history.

**Lala Deshbandhu Gupta :** I want to know whether it is a fact.

**Minister :** No, not to my knowledge.

**Lala Deshbandhu Gupta :** What other considerations led to this abnormal practice ?

**Minister :** That was probably prior to the Reforms.

**Lala Deshbandhu Gupta :** How long will it take to reconsider the question ?

**Minister :** After the life of the present committee. There is a committee at present already appointed for a certain period.

**Lala Deshbandhu Gupta :** Will Government come to some decision before this committee comes to an end, so that new elections may take place according to the new rules ?

**Minister :** Yes. The question will be considered.

RIGHT OF VOTE TO WOMEN IN SIMLA MUNICIPALITY.

**\*768. Mian Muhammad Iftikhar-ud-Din :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that women have not yet been allowed the right of vote in the Simla municipal elections ;
- (b) if the answer to (a) above be in the affirmative, when Government intend to grant the right of vote to women in Simla ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) Yes.

(b) Not at present.

**Mian Muhammad Iftikhar-ud-Din :** Why not ?

**Minister :** I have replied to the question already.

**Lala Deshbandhu Gupta :** Is there any objection to women being given the right of vote ?

**Minister :** Joint franchise and then there are communal troubles.

**Lala Deshbandhu Gupta :** Will they be given the right to vote at the next elections ?

**Minister :** I cannot say anything so far in advance.

**Lala Deshbandhu Gupta :** Is it suggested that when the women at Simla are permitted to exercise their vote, they will go and create communal trouble ?

**Minister :** No, it will lead to predominance of one community over other communities.

**Lala Duni Chand :** What communal trouble do you apprehend, if women of Simla are enfranchised ?

**Minister :** I do not mean communal trouble in that sense, but there are objections to a particular community predominating over other communities.

**Lala Deshbandhu Gupta :** If there is likely to be a predominance of one community, cannot that be avoided by nomination ?

**Minister :** I was speaking of elections.

**Lala Deshbandhu Gupta :** Is it fair that women should not be given the right of vote ?

**Minister :** Where the situation allows it, we have given it, for instance, in Jhang and Ferozepore.

**Dr. Sir Gokul Chand Narang :** Is it a fact that if a committee passes a resolution enfranchising women in that committee, the women will be enfranchised ?

**Minister :** That will depend upon the committee.

**Dr. Sir Gokul Chand Narang :** Then why do not these people get a resolution passed ?

#### OFFICIAL AND COURT ADVERTISEMENT.

**\*769. Mian Muhammad Iftikhar-ud-Din :** Will the Honourable Premier be pleased—

- (a) to lay on the table the list of the newspapers and periodicals, English and Vernacular, to which official and court advertisements are permitted to be sent ; and state—
- (b) when and by whom this list was prepared ;
- (c) whether the present ministry has examined the list with a view to removing the public complaint that for political reasons important papers have been excluded from the approved list ;
- (d) whether the Government is prepared to re-examine the list according to the principles laid down by the Premier in his reply to interpellations on the subject during the last session of Assembly ?

**Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) :** (a) Attention of the honourable member is invited to the reply given by me to part (c) of Starred Question<sup>1</sup> No. 13 put by Malik Barkat Ali at the last Simla Session of the Assembly.

(b) and (c) The list has only recently been revised by Government. No paper is excluded from the list merely for political reasons.

(d) In the circumstances stated this part of the question does not arise.

**Mian Muhammad Iftikhar-ud-Din :** What are the principles which govern the choice of these periodicals ?

**Parliamentary Secretary :** The Honourable Premier in reply to part (c) of question 13 said " It is not in the public interest to give the information asked for."

**Lala Duni Chand :** May I know if the *Zamindar* and the *Karam Vir* have been brought on under the new list ?

**Parliamentary Secretary :** I have no information on the subject.

**Lala Deshbandhu Gupta :** Is the *Tribune* on that list or not ?

**Parliamentary Secretary :** I would like notice of this question.

**Sardar Partab Singh :** Has the *Khalsa Sewak* been brought on to the revised list ?

**Parliamentary Secretary :** I do not at the present moment know the details about this paper.

**Lala Duni Chand :** Is it true that many fresh newspapers have been brought on to the new list ?

**Chaudhri Kartar Singh :** How many honourable gentlemen have been authorised to answer for the Premier ? So far three gentlemen on the other side have exercised that delegation.

**Mir Maqbool Mahmood (Parliamentary Secretary) :** All are Secretaries, Mr. Speaker.

#### ACQUISITION OF LANDS FOR HAVELI PROJECT.

**\*770. Syed Mubarik Ali Shah :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether the Government has received representations from the zamindars whose lands are proposed to be acquired for the head work, railway line, etc., in connection with the Haveli Project, praying that they may be given lands in exchange for their lands instead of money ;

(b) what action the Government intends to take on those representations ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) The matter is under the consideration of Government. It is proposed to grant land to the persons concerned, in accordance with the provision of paragraph 233 of the Punjab Colony Manual (1933 edition).

## CINEMAS IN SIMLA.

**\*771. Sardar Ajit Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether the Government is aware that the Elphinstone theatre is the oldest theatre in Simla ;
- (b) whether it is a fact that after the annual inspection in December, 1936, both the Elphinstone and the Movies theatres were recommended for only the temporary grant of licences for cinematographic shows in accordance with the cinematographic fire proof regulations, certain alterations having been deemed necessary ;
- (c) whether it is a fact that the Movies theatre after the grant of two temporary licences was granted a permanent licence in April last, while the Elphinstone was altogether refused a licence ;
- (d) if the answer to (c) be in the affirmative, reasons for the differential treatment ;
- (e) whether it is also a fact that Elphinstone theatre was refused a licence on the ground that the number of cinema houses in Simla should not exceed two ;
- (f) if the answer to (e) above be in the negative, whether the Government is prepared to re-consider the case of the Elphinstone ; if not, why not ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) to (d) The honourable member is referred to the reply given to question 756<sup>1</sup> put by the honourable member for the Kangra and Northern Hoshiarpur (Sikh) Rural Constituency.

(e) No.

(f) The matter is one for the discretion of the district magistrate. If the honourable member has read the accounts of the fearful disaster in a cinema house in Hyderabad (Deccan) in June, 1936, I am sure he will not suggest that Government should put pressure on a district magistrate to license a building which is not structurally safe.

## PRESIDENT, MUNICIPAL COMMITTEE, PANIPAT.

**\*772. Malik Barkat Ali :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that the newly constituted Municipal Committee of Panipat elected Haji Abdul Qayum as its president ;

- (b) whether it is a fact that the Commissioner, Ambala division, did not approve Haji Abdul Qayum as president of the said municipal committee and appointed instead the tahsildar of the place as *ex-officio* president ; if so, reasons for the same ;
- (c) if the answer to (b) above be in the affirmative, whether the Commissioner, Ambala division, was empowered to do so ;
- (d) the action, if any, Government propose to take in the matter ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) Yes.

(b) Haji Abdul Qayum was dismissed from the post of secretary, Municipal Committee, Panipat, on the 14th August, 1927, and it was considered undesirable that a person so dismissed from the service of a municipality should become its president. In public interest therefore the Commissioner, Ambala, refused to approve of his election as president and appointed the local tahsildar as *ex-officio* president.

(c) Yes.

(d) None.

**Lala Deshbandhu Gupta :** Will the Honourable Minister please state whether a person so dismissed is eligible for membership and whether Government will consider the advisability of his removal from membership as well or not ?

**Minister :** He may be eligible for membership but the president has much wider responsibilities.

**Lala Deshbandhu Gupta :** If Government refers to the rules, he is not eligible even for membership.

#### RAJBAAH SHAHKOT.

**\*773. Sardar Kartar Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that on all rajbahs of the Lower Chenab Canal with the exception of Shahkot rajbah, the prevailing practice is to supply one cusec foot of water for the irrigation of 264 acres of land ;
- (b) if the answer to (a) above be in the affirmative, whether the Government proposes to make this practice uniform at the time of remodelling of the Shahkot rajbah ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) The point will be considered favourably as soon as the distributary is remodelled.

#### BHAI BASANT SINGH.

**\*774. Diwan Chaman Lall :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether 'question No.\* 717 and the final answer thereto do not reveal the fact that the claims of Bhai Basant Singh of Chak No. 105-O. B. in tahsil Jaranwala, district Lyallpur, to

[D. Chaman Lall.]

be appointed as a lambardar were ignored on account of the political activities of his son Sardar Karam Singh Man, Barrister-at-Law ;

- (b) if the answer to (a) be in the affirmative, what action, if any, the Honourable Minister proposes to take in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) The facts are given in the order of the settlement officer and the honourable member may draw his own inference from them.

(b) I would refer the honourable member to my answer to part (d) of his question No. \*717.

**Pandit Muni Lal Kalia :** The question is with regard to the inference whether the claims of Bhai Basant Singh were ignored on account of the political activities of his son Sardar Karam Singh Man.

**Minister :** I cannot add anything to the answer already given.

#### WATER-TAX FOR WATERLOGGED AREA IN CHUNIAN TAHSIL.

**\*775. Sardar Muhammad Hussain :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether he is aware of the fact that village Mohkewala, tahsil Chunian, district Lahore, situated in sub-division Khudian of the Dipalpur Canal, is waterlogged ;
- (b) whether it is a fact that water-tax is not charged on the crops, sown in the waterlogged area ;
- (c) if the answers to (a) and (b) above be in the affirmative, the reasons why water-tax is being charged on crops sown in waterlogged area of land belonging to Chah Haveliwala alias Aglan Kavvan, Chah Pwahewala, in Chunian tahsil and Chah Nawan in spite of the representations made by the zamindars of that area against this charge ;
- (d) whether the Government intends to depute some high officer to inquire into this matter and redress the grievances of the zamindars concerned ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Only some low lying portions of village Mokhewala are waterlogged.

(b) Yes.

(c) The subsoil water level is variable. In the earlier part of the season the water is low and it is alleged that canal water was applied to fields on which at a later date rice could be planted owing to the rise of the subsoil water. This watering was entered as *rouni* by the patwari and was confirmed by the zilladar when he checked the area. The appeal of the zamindars is under investigation.

(d) The deputy collector of the division has been deputed to investigate the complaint.

## SWAN HILL TORRENT.

**\*776. Sardar Harjab Singh :** Will the Honourable Minister for Public Works be pleased to state whether he is aware of the fact that the Swan hill torrent in tahsil Una, district Hoshiarpur, causes a great havoc when in flood and being without a bridge, takes a toll of many lives ; if so, the measures the Government has adopted or proposes to adopt to check this havoc ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** Yes, the hill torrent causes havoc when in flood. Casualties have occurred in the past but none were reported this year. Construction of a bridge is not feasible in view of the enormous expenditure involved. Warnings were given to the inhabitants of the villages lying on the banks of the hill torrent by the police, who were specially deputed for this purpose. It is proposed to continue this practice.

## HANS RAJ KNOWN AS " WIRELESS."

**\*777. Diwan Chaman Lall :** Will the Honourable Premier be pleased to state the whereabouts of one Hans Raj known as " Wireless," a political prisoner and whether the Government has decided to release him ?

**Parliamentary Secretary (Mir Maqbool Mahmood) :** Hans Raj "Wireless" was convicted in Sind and is, I understand, undergoing imprisonment in the Central Jail, Hyderabad, and the question of his release rests with the Sind Government.

**An honourable member :** Has not the statement of the Premier of Sind, while he was at Lahore issued to the Press to the effect that he would be prepared to release Hans Raj " Wireless " if the Punjab Government recommended his release, been brought to the notice of Government ?

**Parliamentary Secretary :** The Honourable the Premier of Sind said that he was not prepared to accept that Hans Raj was a political prisoner. He was convicted in Sind for making and possessing counterfeit coins and under the Arms Act. The Honourable the Premier of Sind further added that if the Punjab Government recommend his release, he will be prepared to consider it. But in view of the fact that he is not a political prisoner, the Punjab Government are not prepared to take any action unless the Sind Government refer the matter to them.

**Chaudhri Kartar Singh (Urdu) :** Will the Government please state whether it is prepared to release Hans Raj on the ground that he is a scientist of great reputation ?

**Dr. Gopi Chand Bhargava :** May I know whether any reference has been made by the Sind Government to the Punjab Government regarding this prisoner ?

**Parliamentary Secretary :** If the honourable member gives notice, I will go into the question.

## ELECTIONS TO DISTRICT BOARDS AND COMMUNAL REPRESENTATION.

**\*778. Sardar Muhammad Husain :** Will the Honourable Minister for Public Works be pleased to state whether in elections to the district boards in this province conducted according to the joint electorate system

[Sardar Muhammad Husain.]

each community is not able to secure proper representation in such local bodies ; if so, whether Government reserves a certain number of seats to give proper representation to each community ; if not, whether it intends to do so now ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** Communal irregularities resulting from elections are removed by Government so far as possible by nominations.

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MR. SACHINDRA NATH SANYAL, ETC.

**\*779. Chaudhri Kartar Singh :** Will the Honourable Premier be pleased to state—

- (a) the reasons for which Mr. Sachindra Nath Sanyal and Mr. Mamot Nath Gupta have been externed from the Punjab ;
- (b) whether the Government is prepared to cancel the orders of their externment ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) The reasons will be found in section 3 of the Punjab Criminal Law (Amendment) Act, 1935.

(b) No.

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JAIL VISITORS.

**\*780. Chaudhri Kartar Singh :** Will the Honourable Minister for Finance be pleased to state the authority for appointing jail visitors and the considerations on which jail visitors are appointed ?

**The Honourable Mr. Manohar Lal :** Jail visitors are appointed under the authority of section 59 (25) of the Prisons Act. The considerations governing their appointment are given in paragraph 515 of the Report of the Indian Jails Committee (1919-20), volume I.

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INTERMEDIATE ARTS COLLEGE AT MONTGOMERY.

**\*781. Chaudhri Kartar Singh :** Will the Honourable Minister for Education be pleased to state—

- (a) the number of high schools in the Montgomery district and the number of students studying therein ;
- (b) whether the Government proposes to establish an Intermediate Arts College at Montgomery ?

**The Honourable Mian Abdul Haye :** (a) There are nine high schools in the Montgomery district and about 4,932 students attend these schools.

(b) Government is not prepared at present to consider the opening of any new intermediate colleges.

## POLITICAL PRISONERS.

**\*782. Chaudhri Kartar Singh :** Will the Honourable Finance Minister be pleased to state—

- (a) the jails in which Sardar Gurmukh Singh, Mr. Dhanwantri and other Andaman prisoners have been lodged ;
- (b) the names of the prisoners who have been repatriated from the Andamans ;
- (c) whether it is a fact that these political prisoners were placed in A class during the course of their trial ;
- (d) whether they are still being treated as A or B class prisoners ; if not, whether the Government intends to treat them as either A or B class prisoners ?

**The Honourable Mr. Manohar Lal :** (a) and (b) A statement giving the required information is attached.

(c) No.

(d) Dhanwantri was classified as " B " class by the Delhi administration. The Punjab Government have recently altered the classification of Kanwal Nath Tewari, Shiv Varma, Gaya Parshad, Jai Dev and B. K. Sinha from " C " to " B " class.

Khushi Ram Mehta, Prem Parkash and Hazara Singh are " C " class prisoners receiving " B " class diet.

*Statement.*

Serial No.	Name.	Father's name.	Jail in which confined.
1	Gurmukh Singh ..	Hoshnak Singh ..	Old Central Jail, Multan.
2	Dhanwantri ..	Durga Datt ..	Lahore Central Jail.
3	Kanwal Nath Trivedi, <i>alias</i> Kanwal Nath Tewari.	Suraj Nath Tewari ..	Lahore Central Jail.
4	Gaya Parshad, <i>alias</i> Dr. B. S. Nigam, <i>alias</i> Ram Lal, <i>alias</i> Nath, <i>alias</i> Desh Bhagat.	Mouji Ram ..	Lahore Central Jail.
5	Jai Dev, <i>alias</i> Harish Chandar.	Babu Salig Ram ..	Lahore Central Jail.
6	Bijoy Kumar Sinha ..	Markando Kumar Sinha	Lahore Central Jail.
7	Prem Parkash ..	Madho Singh ..	Lahore Central Jail.
8	Khushi Ram Mehta ..	Ladho Ram Mehta ..	Lahore Central Jail.
9	Sheo Varma ..	Kanhiya Lal Varma ..	Lahore Central Jail.
10	Hazara Singh ..	Raja Singh ..	Lahore Central Jail.

COMRADE GURMUKH SINGH.

**\*783. Chaudhri Kartar Singh :** Will the Honourable Minister for Finance be pleased to state—

- (a) whether it is a fact that the health of Comrade Gurmukh Singh, an Andaman prisoner, has been completely shattered ;
- (b) if the answer to (a) above be in the affirmative, whether the Government proposes to release him ?

**The Honourable Mr. Manohar Lal :** (a) No.

(b) Does not arise.

ROAD BETWEEN OKARA AND JARANWALA.

**\*784. Chaudhri Kartar Singh :** Will the Honourable Minister for Public Works be pleased to state whether there is a proposal to construct a pucca road from Jaranwala to Okara by crossing the Ravi river which lies between Jaranwala and Okara ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** The reply is in the affirmative.

SARDAR AJIT SINGH.

**\*785. Chaudhri Kartar Singh :** Will the Honourable Premier be pleased to state—

- (a) the whereabouts of Sardar Ajit Singh ;
- (b) whether the Government is prepared to allow him to come to the Punjab unrestricted ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) If the honourable member refers to Ajit Singh, son of Arjan Singh, Jat, he would be well advised to enquire from Ajit Singh's brother Kishen Singh.

(b) If Sardar Ajit Singh makes enquiries the question will be considered.

SAYEDWALA IN DISTRICT LYALLPUR.

**\*786. Chaudhri Kartar Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) if *kasba* Sayadanwala in the district of Lyallpur has been very greatly damaged by the river Ravi ;
- (b) the steps which the Government has taken to save the *kasba* from constant damages by the river action ;
- (c) whether the Government is prepared to recompensate in any manner those zamindars of the *kasba* who have lost their lands by the action of the river Ravi ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) The place is called Sayedwala and is situated in the Sheikhpura district. It was badly damaged by river action in 1936.

(b) The place having lost its importance as a trading centre in view of proximity to Jaranwala and Okara, its preservation as a town is a matter

of doubtful policy. Moreover, the inhabitants could not be persuaded to contribute to the cost of protective measures. In the circumstances the only assistance Government could appropriately offer was in the way of facilities to the population to re-establish themselves on the cultivated lands attached to the town. This suggestion also has not met with popular support.

(c) No. Government cannot undertake to award compensation for damage to village sites and lands due to river action, as the cost would be prohibitive.

MR. A. UNIT, SUPERINTENDENT, OF POLICE AND REGISTER NO. 10.

**\*787. Chaudhri Kartar Singh :** Will the Honourable Premier be pleased to state—

- (a) the number of persons placed on register X since the date Mr. A. Unit took over charge as Superintendent of Police at Hoshiarpur ;
- (b) the number and names of the well known political workers included in this register ?

**The Honourable Major Sir Sikander Hyat-Khan :** The contents of Police Register X are not made public, and I do not think it would be in the public interest to answer questions on this subject.

#### CRIMINAL TRIBES.

**\*788. Chaudhri Kartar Singh :** Will the Honourable Premier be pleased to state—

- (a) whether the Government has received complaints that in many instances recently members of the criminal tribes are guilty of unlawful damage to the crops of the zamindars by letting loose their cattle in the cultivated fields ;
- (b) whether it is a fact that there are frequent clashes between the zamindars and the Odes (a criminal tribe) in the districts of Ludhiana and Ferozepore ;
- (c) whether it is a fact that some members of the criminal tribes have been settled on Government land in the Montgomery district ;
- (d) whether it is intended to settle these criminal tribes in the areas to be irrigated by the Haveli Project ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) and (b) If the honourable member is referring to the Odes I would ask him to see the replies which were given to questions<sup>1</sup> 50 and \*235 in the last Simla session ; but I must make it clear that the Odes are not a criminal tribe under the Act.

(c) Yes.

(d) There is no proposal to settle any Odes or any criminal tribesmen in the Haveli Project area.

## REDUCTION OF ABIANA IN VILLAGE BHAIN (GURGAON).

**\*789. Pandit Shri Ram Sharma :** Will the Honourable Minister for Revenue be pleased to state whether the Government has received a representation from zamindars of village Bhain and of some other villages in its neighbourhood in Gurgaon, praying for a reduction in *abiana*; if so, the action taken on it?

**The Honourable Dr. Sir Sundar Singh Majithia :** Government do not appear to have received any such representation recently. Irrigation in the Ballabgarh tahsil is done from the Agra Canal which is under the administrative control of the United Provinces Government. Representations were made to that Government to reduce canal rates on this canal but they did not accept the proposal.

## SARDAR BHAGWAN SINGH.

**\*790. Chaudhri Kartar Singh :** Will the Honourable Premier be pleased to state—

(a) whether he is aware of the fact that Sardar Bhagwan Singh has been externed from the Punjab;

(b) the reasons for passing the order of externment on Sardar Bhagwan Singh by the Punjab Government?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) and (b) S. Bhagwan Singh was convicted for disobeying the order of externment served on him in June last and is at present serving his sentence in the Punjab. The order of externment was passed against him for his having acted in a manner prejudicial to the public safety and peace.

## SIMLA-KOTGARH ROAD.

**\*791. Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state whether the Government intends to open the road between Simla and Kotgarh for public traffic subject to suitable conditions?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** Except for a mile or two the road between Simla and Kotgarh lies entirely in the Simla Hill States. The Punjab Government is no longer responsible for the road and although the Punjab Public Works Department maintains it, it does so on behalf of the Government of India, which pays the cost of maintenance to the Punjab Government. The matter is, therefore, primarily the concern of the Government of India.

## WATER WORKS ENGINEER, MUNICIPAL COMMITTEE, SIMLA.

**\*792. Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that the present Water Works Engineer of the Municipal Committee, Simla, who is a civil engineer and not a mechanical engineer admitted his inability to take charge of the mechanical department of the municipal committee in one

of its meetings held in 1935 on the occasion when the assistant mechanical engineer of the said municipal committee applied for leave to go out of India and that consequently another man belonging to the electricity department of the said committee had to be put in charge of that department; if so, the steps, if any, that Government proposes to take in the matter in view of the water works of Municipal Committee, Simla, being of unusually high value and importance;

(b) whether it is also a fact that the condition of water works and particularly that of the plant at Guma station, which is of unusually high value and importance, has recently been reported to be unsatisfactory by the Superintending Engineer, Public Works Department, Punjab;

(c) if answers to the above parts be in the affirmative, the action, if any, that is proposed to be taken to give the charge of the water works to a really competent person?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana:** (a) The present Water Works Engineer was recruited as civil engineer and for the mechanical side he has normally a mechanical assistant. In the absence on leave of this assistant he said it was not possible for him to be responsible for the proper maintenance of the mechanical plant without proper assistance, which he obtained from the sister department of the Municipality, viz., the Electricity Department.

(b) No. On the contrary the report shows an all round improvement in the works.

(c) Does not arise.

#### RESENTMENT AGAINST MUNICIPAL COMMITTEE, SIMLA.

**\*793. Lala Duni Chand:** Will the Honourable Minister for Public Works be pleased to state whether it is a fact that there is a widespread feeling of dissatisfaction and resentment against the working of the Municipal Committee, Simla, on account of the proposed plan to close public water-taps, and also on account of the delay in the disposal of applications from the members of the public; if so, the action that is proposed to be taken in the matter?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana:** The question of closing down of redundant standposts is under the consideration of the Committee. No standpost will be closed down however which is required in the interest of the general public. It is probable that the action which the committee proposes to take in this connection will cause dissatisfaction and resentment among those interested persons who have been drawing free water for domestic use and gardening for many years from public standposts, but there does not appear to be any such feeling among the members of the general public. The question is premature as no general action to close down standposts has yet been taken by the Committee. Government is not aware that there has been any delay in the disposal of applications from the public, and the honourable

[Hon. Malik Khizar Hayat Khan Tiwana.]

member has given no particulars. In any case a new Secretary is being appointed and if there have been such delays in the past it is expected that they will not occur in future. Government do not propose to take any action in the matter.

#### PROVISION SHOP AT CHEROT.

**\*794. Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that there is no shop of provisions at Cherot pumping station under the control of the Municipal Committee, Simla, to meet the requirements of the subordinate staff and the coolies stationed there who are at the same time prohibited from going to Sanjauli or Simla to make purchases of necessary articles ;
- (b) if so, the way in which Government proposes to remove this grievance ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** There is no shop dealing in provisions at Cherot pumping station but such shops are situated at two places, one at a distance of  $1\frac{1}{2}$  mile from the station and the others in the Sanjauli Bazar which is situated at a distance of  $2\frac{1}{4}$  miles. The staff is allowed to leave the station for making purchases after working hours with the permission of the superintendent of the station. In the circumstances no action on the part of Government is necessary.

#### OVERSEERS.

**\*795. Seth Ram Narain Virmani :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the number of overseers who have qualified from Government School of Engineering, Rasul, since 1930, and the number of those among them who have been taken in Government service so far ;
- (b) whether he is aware of the fact that in filling up vacancies some of the newly qualified overseers are being given preference to those who had accepted or are holding short period vacancies ; if so, the reasons for the same ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) 364 students from the Punjab (excluding Indian States) have qualified since 1930 and so far as is known 220 have been taken into Government service.

(b) It is not a fact. Only when a man of a particular community is required and there is no suitable retrenched overseer of that community available is a newly qualified overseer from Rasul recruited.

## AGE LIMIT.

**\*796. Seth Ram Narain Virmani :** Will the Honourable Minister for Public Works be pleased to state whether the Government has any intention of relaxing the age limit for joining permanent Government service in case of those who qualified themselves from Engineering School, Rasul, during the period when recruitment was closed on account of general depression ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** The reply is in the negative.

## UNSTARRED QUESTIONS AND ANSWERS.

## COMPLAINTS AGAINST POLLING AT NAWANSHAHR.

**161. Master Kabul Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that the voters complained against the polling and presiding officers during the recent elections of the Nawanshahr Municipal Committee for not polling their votes for the candidates for whom they were intended and that they submitted affidavits and made representations regarding the same ;
- (b) if the answer to (a) above be in the affirmative, whether the Government proposes to take any action in the matter ; if so, what ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) An election petition was filed by certain persons in connection with the elections for the Town Committee of Nawanshahr but being barred by time it was dismissed. No formal affidavits were received.

(b) No.

## SECRETARY, MUNICIPAL COMMITTEE, JAGADHRI.

**162. Lala Deshbandhu Gupta :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the authority at whose instance the Municipal Committee of Jagadhri fixed the grade for the secretary of the municipal committee at Rs. 40 to Rs. 60 ;
- (b) whether it is a fact that the present incumbent's appointment was made on Rs. 60 per month ;
- (c) whether it is a fact that secretary is drawing Rs. 88 per month at present ;
- (d) if the answers to (a) and (b) above be in the affirmative, reasons for allowing him more salary than was fixed by the municipal committee ;
- (e) the action Government propose to take in the matter ?

**The Honourable Nawabzada Malik Major Khizar Hayat Khan Tiwana :** (a) No such grade as 40 to 60 was fixed for the secretary.

(b) No.

(c) No.

(d) } Do not arise.  
(e) }

#### COMPULSORY PRIMARY EDUCATION IN JAGADHRI.

**163. Lala Deshbandhu Gupta :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that primary education has been compulsory for boys within the municipal limits of Jagadhri for the last ten years ;
- (b) if so, whether Government will lay on the table a statement showing the number of students in primary schools on 31st March of each year during this period ;
- (c) whether it is a fact that the number of students mentioned in part (b) has been gradually on the decline ; if so, whether the Government is prepared to inquire into its causes and take effective steps to check the decline ?

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

#### MUNICIPAL GRANT TO MISSION GIRLS' SCHOOL, JAGADHRI.

**164. Lala Deshbandhu Gupta :** Will the Honourable Minister for Education be pleased to state whether it is a fact that the Municipal Committee of Jagadhri has been paying a grant to the local mission girls' school in excess of the amount which is permissible under the Education Code ; if so, reasons for the same and the action the Government proposes to take in the matter ?

**The Honourable Mian Abdul Haye :** The Municipal Committee Jagadhri, has not been paying a grant to the local mission girls' school in excess of the amount permissible. Hence the question of Government action does not arise.

#### ADMINISTRATION OF MUNICIPAL COMMITTEE, JAGADHRI.

**165. Lala Deshbandhu Gupta :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that the Deputy Commissioner, Ambala, ordered the revenue officer to inquire into the allegations that were made publicly by the citizens of Jagadhri against the municipal administration on 17th March, 1937 ;
- (b) whether the revenue officer held inquiries into these allegations ;
- (c) if so, whether the Government is prepared to lay on the table of the House a copy of these allegations with the report of the revenue officer and the action taken on that report by the Government ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) No. The Deputy Commissioner on the 21st March, 1937, ordered his Revenue Assistant to enquire into the finances of the Jagadhri Municipal Committee. The enquiry was held as the result of a verbal request from the President and not of allegations by the public.

(b) The Revenue Assistant duly examined the finances of the Committee.

(c) There is no record of any such allegations so this part of the question does not arise. The Revenue Assistant made certain recommendations which are being considered by the committee.

#### ASSISTANT SUPERINTENDENTS, JAIL.

**166. Chaudhri Muhammad Sarfraz Khan :** Will the Honourable Finance Minister be pleased to state—

- (a) whether it is a fact that a new scheme called the clerical scheme is going to be introduced shortly in the Punjab jails ;
- (b) if the answer to (a) above be in the affirmative, whether Government will have to incur extra expenditure in this respect and it will necessitate reduction in the posts of assistant superintendents in the Jail Department ; if so, how many such posts are proposed to be brought under reduction ;
- (c) whether it is a fact that in recent years the Government has been encouraging the recruitment of highly qualified young men of respectable families for the post of assistant superintendents with a view to removing corruption and to raise the standard of efficiency and morality in the department ;
- (d) if the answer to part (c) above be in the affirmative, the effect it will have on the career of these young men and on the reformatory policy of the Government ;
- (e) whether it is a fact that the introduction of the clerical scheme has been under consideration of the Government since 1932 ;
- (f) whether it is a fact that many highly qualified assistant superintendents have been selected with the approval of the Government after 1932, that they were asked to take training at their own expense, and that at present nearly all of them have become over-age ;
- (g) if the answer to part (f) above be in the affirmative, whether the Government intends to make some arrangements to provide them ; if not, reasons for the same ;
- (h) whether it is a fact that the Inspector-General of Prisons favours the retention of the services of these qualified hands ; if so, whether the Government has called for his proposals in this connexion ; if not, reasons for the same ?

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

(b) The scheme will involve an extra expenditure of Rs. 6,600 per annum. Twenty posts of assistant superintendents will be brought under reduction.

[Hon. Mr. Manohar Lal.]

(c) and (f) In recent years in order to raise the standard of efficiency in the department direct appointments as assistant superintendents were made of a number of candidates who possessed the certificate of F.A., F.Sc., or the Diploma of a Chiefs College or higher educational qualifications. They received the prescribed training at their own expense. With the exception of two, all have now become over 25 years of age.

(d) and (g) As 18 permanent posts of assistant superintendents are at present vacant, only 2 permanent assistant superintendents will come under reduction. These 2 will be absorbed either in the new clerical appointments or among those approved candidates who have already received the necessary training and are eligible for appointment as assistant superintendent as vacancies occur in the cadre.

(e) Yes.

(h) Does not arise.

#### SUSPENSION AND REMISSION OF LAND REVENUE IN HISSAR DISTRICT.

**167. Sardar Tara Singh :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that a memorial was recently sent to the Government by S. Narotam Singh, Secretary, Zamindars League, Hissar district, praying for the suspension and in some cases for the remission of land revenue in villages in Hissar district, where there has been little or no rainfall during the last rainy season ; if so, the action taken thereon by the Government ?

**The Honourable Dr. Sir Sundar Singh Majithia :** Yes. The question of granting suspensions and remissions is under consideration.

#### REPRESENTATION OF SIKHS IN SERVICES.

**168. Sardar Tara Singh :** Will the Honourable Premier be pleased to state whether it is a fact that the Sikhs of the South-East Punjab are inadequately represented in all Government departments ; if so, what action the Government intends to take in the matter ?

**The Honourable Major Sir Sikander Hyat-Khan :** The attention of the honourable member is invited to the reply given to part (ii) of starred question<sup>1</sup> No. 48 put by the honourable member for Pakpattan (Muhammadan) Rural Constituency on the 21st of June, 1937.

#### RURAL DEBT CONCILIATION BOARD, AMBALA DIVISION.

**169. Sardar Tara Singh :** Will the Honourable Minister for Development be pleased to state whether it is intended to constitute a rural debt conciliation board in the Ambala division ; if so, when ?

**The Honourable Chaudhri Sir Chhotu Ram :** There is already a board in the Ambala division, functioning since 1935, and a proposal to constitute another board in this division is under consideration.

## ANSARIES.

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

- (a) the names of the districts in which Ansaries have been declared agriculturists, and on what grounds;
- (b) the number of districts in which they have not been declared agriculturists, and the reasons for the same?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) and (b) The Ansaries are notified as an agricultural tribe in the districts of Karnal and Ambala, where they are known to be true agriculturists. In other districts they are not so notified, but their claims can be considered if they satisfy the following conditions :—

- (i) that the Ansaries as a whole are dependent mainly on agriculture for their livelihood;
- (ii) that they are sufficiently important both as regards numbers and the area which they own; and
- (iii) that they are losing land to an extent and at a rate which would justify the extension of protection to them.

## ANSARIES.

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

- (a) the reasons for not declaring Ansaries living in the Ludhiana town as well as Ludhiana district as agriculturists, so far;
- (b) whether it is a fact that representations have been made from time to time by different organizations of the Ansaries for including them in the notified agriculturist tribes; if so, the result of the inquiries, if any, made by the authorities on this subject?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) The Ansaries of the Ludhiana district do not satisfy the conditions mentioned in my reply to the honourable member's question No. 170 (above).

(b) So far as Government is aware, only one such representation was made by the Ansaries of village Tunga Heri, tahsil Ludhiana, in 1936. Enquiries made showed that the number of Ansaries in the Ludhiana district was only 88, owning 845 acres of land.

## ZAILDARS IN GOVERNMENT SERVICE.

**172. Mahant Prem Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that there are zaildars in the Punjab who are in Government service and who have their sarbrahs appointed to work for them as zaildars;
- (b) whether it is also a fact that the claims of certain candidates are ignored on the ground that they are in Government service; if so, why?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) Yes. Persons in Government service who on account of their long absence have lost touch with their zails are usually not appointed zaildars, unless family influence and exceptional personal claims make their choice obvious.

**173—181. Cancelled.**

**Haji Abdul Qayum.**

**182. Lala Deshbandhu Gupta :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether the Commissioner of Ambala division has disapproved of the election of Haji Abdul Qayum as President of the Municipal Committee, Panipat, on the ground that the said Haji Abdul Qayum was a dismissed employee of the municipality ;
- (b) whether under section 20 of the Municipal Act he has appointed the tahsildar of Panipat as the president of the committee ;
- (c) if the answer to part (a) be in the affirmative, whether the Government intends to take action against the said Haji Abdul Qayum under section 16 of the Municipal Act ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) Yes.

(b) Yes.

(c) No.

**183—185. Cancelled.**

**WATERLOGGING IN CERTAIN VILLAGES IN DIPALPUR TAHSIL.**

**186. Mahant Girdhari Dass :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether he is aware of the fact that the area of certain villages in the Dipalpur tahsil, near Sulemanke headworks, is becoming waterlogged owing to the rising of the subsoil water and as a result thereof the produce of these lands has greatly decreased ;
- (b) whether he has received any application from the zamindars of these villages to the effect that their lands be irrigated by means of tube-wells, in future ; if so, the action taken on that application ?

**The Honourable Dr. Sir Sundar Singh Majithia :** I regret that the answer to this question is not ready.

**CATTLE LIFTERS IN MULTAN AND MONTGOMERY DISTRICTS.**

**187. Mahant Girdhari Dass :** Will the Honourable Premier be pleased to lay on the table of the House the names of the *Rassa Girs* (cattle lifters) in the districts of Multan and Montgomery so far traced and state the special action that has been taken or is proposed to be taken to put an end to their activities ?

**The Honourable Major Sir Sikander Hyat-Khan :** In cases where it is possible to prove that a person is a cattle thief or a receiver of stolen cattle, proceedings are taken against him under the criminal law. The preparation of a list will involve an amount of time and trouble out of proportion to the results. Moreover it is not possible to prepare a list of persons who are merely suspected of complicity in cattle theft. In regard to measures for the prevention of cattle theft I cannot do better than ask the honourable member to see the attached extract from the Government review of the Report on Police Administration in the Punjab for 1935.

*Extract from the Report on Police Administration in the Punjab for the year, 1935.*

The report also refers to a campaign of another kind which has been in progress in another part of the province the special campaign against cattle-theft in Muzaffargarh. As it happens, the subject of cattle-theft was discussed a few months ago in an informal conference of officials and non-officials convened by the Punjab Government as the result of a private Bill introduced in the provincial legislature. The general feeling of the conference was that neither special legislation nor unusual methods were required to deal with the problem. Leaving aside the question of creating a sound public opinion on the subject, which is at present notoriously wanting, the conference was of opinion that the real remedy was to be found in an intensive use of the traditional methods : in encouraging the victims of cattle-theft to make an immediate report to the police, in the vigorous investigation and prosecution of cases, and in careful patrolling. Unfortunately the ordinary district staffs, with their other pre-occupations, are not always in a position to give this form of crime the attention which it requires. To deal effectively with the menace of cattle-theft is largely a matter of extra staff and extra funds. Experience in Muzaffargarh to a great extent confirms the conclusions arrived at in the conference. No novel methods have been employed, but with a strengthened staff working under officers specially chosen for the purpose it has been found possible to effect remarkable results in a district where conditions are in many ways peculiarly favourable to the cattle-thief

## APPLICATIONS OF MEMBERS FOR LEAVE OF ABSENCE.

SARDAR TEJA SINGH.

**Mr. Speaker :** I have to read out to the House the following application received from Sardar Teja Singh, member of the  
 12 NOON. Assembly for permission to be absent from the House.  
 The application reads as follows :—

Due to my detention in Jail without trial by the Government I am unable to attend the coming session of the Punjab Legislative Assembly. I beg the House therefore for permission to absent myself from the House so long as I am under detention.

*The Assembly granted the permission.*

DIWAN CHAMAN LALL.

**Mr. Speaker :** I have to read out to the House the following application received from Diwan Chaman Lall, member of the Assembly, for permission to be absent from the Assembly. The application reads as follows :—

Diwan Chaman Lall requests the permission of the House to be absent from meetings, if any, from the end of the Budget session, 1938, until the end of November, 1938. This application is made under rule 24 of the Punjab Legislative Assembly Rules.

*The permission was granted.*

# SUPPLEMENTARY STATEMENT RE-ACTION TAKEN AGAINST CORRUPT OFFICIALS.

*Secretary laid on the table the Supplementary statement showing the action taken against corrupt officials in the Punjab during the period 1st April, 1936, to 31st March, 1937.*

*Head of Department or Office—Inspector-General of Prisons, Punjab.*

(1) The case of one warder, reported from the District Jail, Hissar, who was suspended for one month for introducing prohibited articles into the jail (page 1465 of Punjab Assembly Debates, Volume I), should be omitted from the statement as his appeal was accepted by the Inspector-General of Prisons, Punjab, for lack of adequate proof.

(2) The case of one warder, reported from the Sub-Jail, Kasur, whose increment was delayed for six months for introducing prohibited articles into the jail (page 1465 of Punjab Assembly Debates, Volume I), should be omitted from the statement, as the facts of the case, now ascertained, disclose that it was not a case of corruption.

(3) The case of another warder, reported from the Sub-Jail, Kasur, who was awarded a black mark as he was suspected of throwing cigarettes into the jail over the main wall (page 1465 of Punjab Assembly Debates, Volume I), should be omitted from the statement as the case was not proved.

(4) The case of one warder, reported from the District Jail, Multan, whose leave was stopped for four months for trying to allow an unauthorized interview with a prisoner and attempting to get something from his friends (page 1465 of Punjab Assembly Debates, Volume I), should be omitted from the statement as the case on further examination was not proved.

(5) For the note in the remarks column (No. 5) of the statement (page 1466 of Punjab Assembly Debates, Volume I), against the case of a warder of the District Jail, Multan, who was found guilty of receiving illegal gratification from the relatives of a prisoner, the following note should be substituted :—

“NOTE.—The warder accepted a tip of Rs. 0-8-0 from the relative of a prisoner who was actually present in the main gate of the jail awaiting his release. When questioned, the warder did not deny the fact, but in a very straightforward manner admitted that he had done so. This being the first occasion of misconduct on his part and the fact that he readily admitted the guilt the extreme penalty of dismissal was not inflicted.

*Head of Department or Office.—Financial Commissioners, Punjab.*

(6) One of the two copyists, whose cases were reported from the Rawalpindi Division (page 1467 of Punjab Assembly Debates, Volume I), has resigned and the services of the other were dispensed with on the 31st March, 1937. The former was discharged while the latter was acquitted in the criminal cases pending against them.

(7) Of the three patwaris and one field kanungo, whose cases were reported from the Rawalpindi Division (page 1467 of Punjab Assembly Debates, Volume I), two patwaris were dismissed as a result of a departmental inquiry. The charge of corruption against the third patwari was not proved and he was, therefore, acquitted. The field kanungo, against whom judicial proceedings were pending, was acquitted of the charge and was consequently re-instated.

(8) In the case of a clerk, reported from the Rawalpindi Division (page 1467 of Punjab Assembly Debates, Volume I), who was reduced to a lower grade it has now been reported, on further examination, that his reduction was due to a misrepresentation of facts for which he was not altogether to blame. It was, therefore, decided not to inflict the punishment of dismissal in this case.

(9) The case of a patwari reported from the Jullundur Division (page 1466 of Punjab Assembly Debates, Volume I), who was degraded to second grade for one year, should be omitted from the statement as he was merely suspected of dishonest practice and the charge of corruption was not proved.

(10) The case of two patwaris reported from the Multan Division (page 1467 of Punjab Assembly Debates, Volume I), in which one was fined Rs. 3. and the other was transferred should be omitted from the statement, as the offence of corruption was not proved in either case.

## REFERENCE TO LATE BIBI PARBATI DEVI.

**Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majithia):** In the unavoidable absence of the Premier on account of illness, with your permission I wish to bring to the notice of this House the sad death of Bibi Parbati Devi which has taken place since we last met at Simla. On behalf of the House I would convey to the members of the bereaved family the sense of loss that we have suffered in the death of Bibi Parbati Devi. She was an asset to this House, a lady of great reputation, who had associated herself with many good works in this province and in which she was taking very keen interest during her life time. Her death is a sad loss to the province. I wish her soul may have peace at the feet of Almighty God and I trust honourable friends of this House will join me in conveying the condolences of this House to the bereaved family.

**Dr. Gopi Chand Bhargava (Lahore City, General, Urban):** Mr. Speaker, I rise to support the condolence resolution which has been moved by the Honourable Sir Sundar Singh. I, Sir, both on my behalf as well as on behalf of the members sitting on this side of the House feel that her loss is an irreparable loss to us. Bibi Parbati Devi both as a woman and as a political worker was an ideal for us. She was widowed at the age of 17 and from that age up to the age of 49 when she died she led an ideal Hindu life and her life was one of sacrifice and devotion to the service of the poor. She worked under the instructions of her illustrious father, the late Lala Lajpat Rai and did social work before she took to political work. When the Congress started its work according to the new method after the year 1919, she worked as a soldier of the Congress and even went to jail as a civil resister. Her health was spoiled in jail and she could not recover. As the father died like a soldier in the field, so did his daughter. She sacrificed her life working for the cause of the country's freedom. I think though we shall have another lady member here in regard to the work which she did, nobody can replace her. I join with a very sad and heavy heart in the resolution which has been moved by the Honourable Sir Sundar Singh.

*The Assembly agreed that a message of condolence be sent to the members of the deceased's family.*

## ADJOURNMENT MOTIONS.

**Mr. Speaker:** I have received notices of about 20 adjournment motions (*Sardar Hari Singh*: Because it is the first day). Will the honourable member for Ambala (*Lala Duni Chand*) satisfy the Chair that his motion is in conformance with our Rules? *Prima facie* it is not.

VOLUNTARY SURRENDER OF PART OF SALARIES AND ALLOWANCES BY  
MINISTERS AND THEIR SECRETARIES.

**Lala Duni Chand (Ambala and Simla, General, Rural):** Sir, I have given my best consideration to every rule bearing on the point before sending this adjournment motion. If the Honourable Speaker will point out any particular rule which may possibly stand in my way, I shall be able to reply. My motion runs thus:—

"I beg leave to make a motion for the adjournment of the business of the House ...."

**Mr. Speaker :** The honourable member should not read the motion. He should first try to satisfy the Chair that it is in order. I am sure that the honourable member knows the rules regarding adjournment motions ; but as he wants to know the particular rule, if any, which might stand in his way, I have no objection to quote some important rules :—

- (1) The matter proposed to be discussed must be definite, that is to say, the motion must relate to a single specific matter and not to more than one subject.
- (2) It must be of urgent nature, that is to say, it must not be postponable until opportunity for its discussion is provided by the annual budget.
- (3) It must be of recent occurrence.
- (4) It must be of public importance.
- (5) Administrative responsibility of Government must be involved.
- (6) It must not relate to a subject which can be discussed only on a substantive motion.
- (7) There must have been a departure from the ordinary administration of law.

These are only a few, not all, rules. Does the honourable member's motion satisfy these rules ?

**Lala Duni Chand :** I submit, Sir, that my adjournment motion fulfils all the conditions that have been pointed out by the Honourable Speaker. There is a question of a definite matter, specific matter. Since the acceptance of Rs. 500 salary by the Congress ministers in 7 provinces, the question of necessity and desirability has risen in this province, whether in view of the example that has been set up in 7 provinces, honourable ministers and their secretaries will make a willing sacrifice in the matter of reduction of their salaries. It is a definite matter. It is an urgent matter in the sense that any matter that has arisen on or after 23rd July is a matter of recent occurrence. Between 22nd July and this day we have had no opportunity to move any adjournment motion or to bring forward any matter in the form of an adjournment motion. I submit that it is a definite matter and it is an urgent matter. Of course it cannot possibly be denied that it is a matter of public importance. It is highly desirable that the tax-payer should be relieved of the unnecessary burden that has been thrown upon him by reason of heavy salaries having been accepted by our ministers. I may also submit that before the honourable ministers accepted these salaries, the general view held by them was—

**Mr. Speaker :** The honourable member is discussing his motion. He is requested to confine his speech only to the question whether his motion is in order.

**Lala Duni Chand :** I have pointed out the urgency and definite nature of the adjournment motion and its recent occurrence. I will pray the Honourable Speaker to take into consideration the two rules and four standing orders. The question of adjournment motion should be decided strictly

in the light of the rules that have been framed. There are two rules (17 and 18) relating to a motion for adjournment. Then there are 4 standing orders. I submit that my adjournment motion fulfils the conditions of the four standing orders and also of the two rules. If the Honourable Speaker will kindly tell me in what way it infringes any of the standing orders, I shall be able to throw further light on the question. It appears to be perfectly clear. Nobody can deny that it does involve a question of public importance. There is the question of urgency. It is urgent. It is recent. The idea underlying the urgency is that it should be placed at the earliest possible opportunity before the House. It does not infringe any of the rules. If the Honourable Speaker would kindly tell me any rule which my adjournment motion infringes, I shall try my best to convince him. I may respectfully say one thing. As a laywer of some experience, I have given the fullest consideration to every word of the rules and standing orders and I say that I understand all these rules and standing orders.

**Mr. Speaker :** Is not the salary of a minister a non-votable item? Has it not been fixed by an Act and can it be reduced or enhanced except by legislation?

**Lala Duni Chand :** I accept that. I do not say that it can be altered. All I say is that the honourable ministers should be prepared as a matter of self-sacrifice on their part to offer a cut willingly amounting to any part of their salary. I may point out and the Honourable Speaker might have read in the Press, that in the Madras Presidency the All-India Services are being asked to consent to some reduction in their salaries. Their salaries are also non-votable. They cannot be brought into question. But all the same that has been done. In the same way and in the same spirit I am going to ask the honourable ministers here whether, in view of the example that has been set up in 7 provinces, they are going to move in the matter and whether they are willing to consent to the reduction of their salaries to any extent, say, 5 per cent, 25 per cent, 50 per cent., or anything.

**Mir Maqbool Mahmood** (Parliamentary Secretary : **Mr. Speaker,** I do not want to discuss at this stage the subject matter of the adjournment motion. I will confine myself with the legal aspect of its admissibility. My first submission is that an adjournment motion must involve responsibility of the Government. In this matter no responsibility of the Government is involved. Secondly, the time for voting of supplies would afford an adequate and proper opportunity for discussing it. In the third place, as you have yourself indicated, Sir, one aspect of this question can be tackled through legislation only. This cannot be done on an adjournment motion. The next point I wish to submit is that the House is asked not to pass a mandate but to invoke the willingness of those included in this motion. I submit that willingness is not a matter which involves any official action of those concerned. Apart from that I would submit with due deference to my honourable friend opposite, that there is no such office as assistant secretary to which he has made a reference in this motion. In view of these objections, I submit that it is not a matter for an adjournment motion.

**Mr. Speaker :** I am unable to give my consent to the motion.

## ANTI-CONGRESS CAMPAIGN BY MEMBERS OF PUNJAB CABINET.

**Lala Duni Chand :** Sir, I have given notice to ask for leave to make a motion for adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the constitutional propriety and political decency of unhealthy propaganda and the anti-Congress campaign that has been carried on by certain members of the Punjab Cabinet since the adjournment of the last session of the Punjab Legislative Assembly.

**Mr. Speaker :** If the motion is allowed, will not the honourable member criticise the conduct of ministers ?

**Mr. E. Few :** On a point of order, Sir. The honourable members opposite seem to consider that every act done by the Congress in other provinces justifies it as urgent public importance and definite to be blindly followed here.

**Lala Duni Chand :** The question that my adjournment motion raises is this that the ministers have got two kinds of capacities one, as ministers of the Government and the other, as members of public. They are entitled to all sorts of receptions and all sorts of assistance from services and officials. I concede that. But they have got another capacity also. The ministers in this House represent a certain school of political thought. They are also leaders of public opinion. As such they stand on the same footing as any of the public men in this province. It is not open to the ministers to go and carry on propaganda in support of the particular school of thought to which they belong.

**Mr. Speaker :** The honourable member is discussing his motion.

**Lala Duni Chand :** I do not think I am doing that. (Voices : What are you doing then ?) So far as their doings as ministers are concerned, I have not questioned them and I do not mean to question them.

**Mr. Speaker :** Does the honourable member intend to criticise them as private gentlemen ?

**Lala Duni Chand :** I have already submitted that they have got two positions.

**Mr. Speaker :** The question is whether the honourable member means to discuss them as ministers or not.

**Lala Duni Chand :** I want to discuss their doings as exponents of certain—

**Mr. Speaker :** Will the honourable member please answer my question ?

**Lala Duni Chand :** They are using and abusing their position as ministers for the purpose for which they are not allowed to use that position.

**Mir Maqbool Mahmood (Parliamentary Secretary) :** I beg to invite your attention to the fact that my honourable friend is using an unparliamentary expression regarding the conduct of the honourable ministers and I would point out to him that it is not proper decorum to use unparliamentary language.

**Lala Duni Chand :** I mean absolutely no disrespect to the ministers and I assure the honourable member that I have respect for them. If it is necessary for me to use certain expressions for the purpose of my point of view, I am entitled to do that. My point is that as ministers they cannot go out in districts and get assistance from their subordinates—I mean officials—in order to carry on propaganda against Congress or in order to carry on propaganda in support of their own party.

**Minister for Finance :** It is very unfortunate.

**Lala Duni Chand :** The point that I am placing before the House is perfectly clear. The question is whether they can do so or not.

**Mr. Speaker :** The conduct of ministers and members of this House cannot be discussed by an adjournment motion ; it can be discussed only by a substantive motion.

**Lala Duni Chand :** I am aware of that. I invite your attention to Rule 19. It is the extra ministerial activity of the ministers that I am going to question. It is not the ministerial activity that I want to discuss. I cannot bring into question their conduct as ministers so far as Rule 19 is concerned.

**Mr. Speaker :** The honourable member remarked that they were abusing their position as ministers.

**Lala Duni Chand :** The point is whether it is up to the ministers to use their ministerial position for the purpose of carrying on a political propaganda in support of certain views which they hold. (*Voices : Certainly. What are we here for ?*)

**Mr. Speaker :** Is it not open to a minister of government to do any sort of propaganda in support of the policy and programme of his party ?

**Lala Duni Chand :** I would quote precedents in England and various other countries where, when ministers go to the countryside as representing the public, they do not take any kind of assistance from their servants. The Superintendent of Police, the Inspector, the Sub-Inspector and so on and so forth do not gather round them. My point is that when they go as ministers even they, in order to secure big audiences, requisition the services of an army of lambardars, zaildars and other subordinates in various services. Take the case of any country. I know that there ministers are not only ministers but they are also leaders of the public. I concede that right to them, but when they want to exercise their position as leaders of the public, in that case they should come forward as independent men. They should choose their own platform as other people do. They should not go and ask the Deputy Commissioner or the Superintendent of Police to help them. This is my point.

**Minister for Development :** You are making false accusations.

**Lala Duni Chand :** The point is absolutely clear—whether I can bring forward the conduct of the ministers in that capacity, i.e., as leaders of public opinion, by moving an adjournment motion.

**Mr. Speaker :** It is clear that the honourable member wishes to criticise the conduct of ministers to the extent that they are abusing their position by getting certain things done through the servants of Government. But he cannot be allowed to go so far by an adjournment motion.

## CAMPAIGN OF REPRESSION.

**Lala Duni Chand :** I have given notice to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the campaign of repression that has been embarked upon recently and is being still carried on by the Punjab Government. I do not propose to make any long speech with regard to this motion. I simply want to know whether I am in order or not. If the Speaker thinks that I am out of order on this point, then I would not trouble the House any further.

**Minister for Finance :** That is a reflectoin on the Speaker.

**Lala Duni Chand :** I have been disappointed with regard to two motions.

**Mr. Speaker :** May I ask whether the Punjab Government has departed from the ordinary administration of law ?

**Lala Duni Chand :** In some cases they are violating the law. In other cases seemingly they are doing things according to law but really they are not doing that according to the real spirit of law. They are abusing. I should say, they are not making proper use of law and they are not doing things in accordance with the spirit of law. There are many things which are against law.

**Mr. Speaker :** Then the honourable member's motion covers acts done by the Government according to law as well as in violation of law.

**Lala Duni Chand :** There are certain things in which question of law does not arise. Supposing people are beaten and assaulted and the matter does not go to court.

**Mr. Speaker :** The question is whether the honourable member wishes to discuss or refer only to those acts of Government which are in violation of the existing law or they also include, as he has admitted, those acts which have been done according to law. As the honourable member admits that he wishes to discuss such acts of the Government as have been done according to law, I am constrained to decline to give my consent to the moving of his adjournment motion.

## ARRESTS OF POLITICAL WORKERS.

**Sardar Hari Singh :** Sir, I beg to move my motion. I have the honour to submit that this motion refers to a definite matter. It emphasises the specific acts of the Government which involve its administrative responsibility. I am not concerned with the legality or illegality of the matter. I am only concerned with the urgency about the arrest of political workers. Over this matter the whole province is agitated, not only the province but these acts of the government are criticised all over India. There have been protests in thousands of public meetings and in the whole of the Press against these acts of the Government. With regard to whether it is postponable to supply stage or not I think it is a puerile objection. A motion is not postponable to supply stage which does not come in the ordinary course of the duty of the Treasury. If that argument is carried to its logical conclusion then any adjournment motion may be ruled out on the ground that

it is postponable to supply or budget stage. The budget is far off. This matter is of great public importance because the public mind is agitated over it.

**Mir Maqbool Mahmood :** I only propose confining myself to the legal aspect of this motion. I may state at the very outset that we are not afraid to have an open discussion of the policy that has been followed by Government, and as the Honourable Premier stated at the Simla session, if the honourable the Leader of the Opposition so desires he is free to ask for an opportunity to do so.

**Sardar Hari Singh :** I am not concerned with the policy of the Government. I am not going to be trapped in the snares.

**Mir Maqbool Mahmood :** My first objection is that the motion of the honourable member is not definite. My second objection is that it does not cite any action taken against the law. Thirdly, if the honourable member intends to censure the ministry, there is a specific procedure provided for it under the rules. If it is intended only as a criticism of the ministry, the question can be taken at the time of supplies. In view of these submissions, the motion is out of order. Moreover some of the cases referred to are still *sub-judice*.

**Mr. Speaker :** The honourable member's motion does not relate to a single and definite matter. It is indefinite and relates to at least three separate matters. Therefore I withhold my consent.

#### REMARKS OF PREMIER IN CONNECTION WITH CERTAIN POLITICAL CASES.

**Sardar Hari Singh :** I do not intend to move the next motion<sup>1</sup> because of the absence of the Premier.

#### POLICE RAID IN VILLAGE KATANI.

**Lala Duni Chand :** Sir, as the subject matter of my motion shows, the facts briefly are these—

**Minister for Finance :** Are you going through the facts ?

**Lala Duni Chand :** Yes. I have to.

**Mr. Speaker :** I hold that the motion is in order, although it is slightly vague. The motion proposed to be moved is :—

Lala Duni Chand has given notice of his intention to ask for leave on the opening day of the next session of the Assembly to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, a raid by the police force consisting of about 60 men on the night of 29th November in the village Katani, district Amritsar, involving acts of indiscriminate assaults on a number of men and women of the village, forcibly breaking open and ransacking of several houses and abusing in foul language of several persons.

**Mir Maqbool Mahmood :** We object to it.

<sup>1</sup>To move for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely certain expressions used by the Honourable Premier in his interview with the special Simla Correspondent of the 'Tribune', Lahore, published in the issue of that paper of October 3, last, which are legally objectionable and are calculated to prejudice fair trial and impartial judgment in certain political cases which are *sub-judice*.

**Mr. Speaker :** Those who are in favour of leave being granted may stand in their seats.

*(As the requisite number of members stood in their seats, the leave was granted. After consulting the sense of the House, Mr. Speaker fixed 3 P.M. on 11th January, 1938, for the discussion of the motion.)*

#### PRESENTATION OF SUPPLEMENTARY ESTIMATES.

**Minister for Finance (The Honourable Mr. Manohar Lal) :** I beg to present Supplementary Estimates, 1937-38, and intimate that the demands contained therein are being made on the recommendation of the Governor.

#### RULES OF PROCEDURE.

**Sardar Dasaundha Singh (Deputy Speaker) :** Sir, I beg to move—

That the draft rules prepared by the Committee appointed for the purpose be taken into consideration.

Hitherto the business of the Assembly has been transacted under the interim rules. That is only a temporary arrangement. The constitution provides that the rules of business of the Assembly are to be made partly by the Assembly and partly by the Governor. Section 84 of the Government of India Act gives the necessary power to the Assembly. Honourable members will remember that the Honourable Speaker made an announcement before the last session of the Assembly held at Simla, in which the personnel of the committee to draft rules was announced. That committee has been preparing the draft rules all this time. They have endeavoured to follow Parliamentary practice wherever it was possible. Improvements have been effected upon the previous rules in many places, and also certain rules have been borrowed from other provinces. The main object of the rules of procedure is to enable us to transact the business of the Assembly in the best possible manner. With that object in view the draft has been prepared and it has been placed in the hands of honourable members. I hope the honourable members will give their best consideration to the draft and will approach it in the spirit in which it has been prepared. (*Hear, hear*).

**Mr. Speaker :** Motion moved is—

That the draft rules prepared by the Committee appointed for the purpose be taken into consideration.

The honourable member, Sardar Hari Singh's motion as worded is not in order. It would be in order if the honourable member moves an amendment that the rules be re-committed to the same committee or to an enlarged committee, if he feels necessary.

**Sardar Hari Singh** (Kangra and Northern Hoshiarpur, Sikh, Rural) : I submit to your view point, Sir. I move an amendment to the motion moved by the Deputy Speaker that—

The draft rules be referred to an enlarged and more representative committee to be appointed by the Honourable Speaker to make changes therein so as to :

(a) increase the Speakers' powers and limit those of the Government ; .....

**Mr. Speaker :** The honourable member's motion should be that the draft rules be re-committed to an enlarged committee.

**Sardar Hari Singh :** With these instructions, Sir.

**Mr. Speaker :** I would request the honourable member to move his amendment only. If it is carried, I will allow him to move instructions.

**Sardar Hari Singh :** I bow to your ruling. I move—

That the draft rules be re-committed to an enlarged and more representative committee to be appointed by the Speaker.

My reasons for this amendment are many and important ones. But before I state them for consideration to the honourable members of this House, I will preface my remarks with a very important observation. In the introduction to a book, *Parliamentary procedure at a Glance* by Jones, the author says: 'The rules of Parliamentary procedure are the basis of constitutional Government'. So to-day, Sir, we are considering a very very important document which will form the foundation of the evolution of parliamentary government in this province. I think it would be most unreasonable on our part to rush through this House a very important document without bestowing on its details and on its implications our full attention. We should consider this document in a calm and dispassionate spirit (*interruptions*). We should not be hampered by unnecessary interruptions by the ministerial party. They are welcome to this game, and when they rise and speak we shall do the same. We are discussing at the moment the draft rules in which we have to see how we have to conduct our proceedings in the House with decorum and dignity and this is the example they set before us—and they are the leaders of the House, sitting on the Treasury benches.

Then in passing these rules we should have it in mind that we are going to create an atmosphere and a soil necessary for the germination of the seeds of parliamentary self-government in this province, and we should also have this mental background that while discussing these rules we should bear in mind that the Government of to-day may be the Opposition of to-morrow and the Opposition of to-day may be the Government of to-morrow. We should consider it irrespective of party affiliation, for those sitting on this side may have to bear the mantle of responsibility of carrying on the government and those sitting on the Treasury benches may have to sit crestfallen on these benches any day. (*A voice: We are not crestfallen.*)

The object we have in view is that we should through these rules secure harmonious working of Parliamentary machinery. Secondly, we have to secure complete co-operation between the two parts of the House, both of which have to play an equally important role. Then we have further to secure free and unhampered, yet well regulated play and inter-play, action and inter-action of the various desires, various aspirations and the various wants and needs represented in this House.

With these prefatory remarks, I come to my reasons. My first reason why this report should be committed or re-committed to a committee is that there are omissions, flaws and lacuna in these rules which are to be repaired in the committee. Possibly a gentleman opposed to my motion may get up and say, why not move amendments and have the lacuna and omissions and defects removed on the floor of this House itself. My reason is this that while discussing these things on the floor of this House there is a

[S. Hari Singh.]

danger of the discussion proceeding on party lines. The iron rod of party discipline may descend on the heads of honourable members of this House and prevent loud thinking on their part. There is already an evidence of such a danger.

Then from the amendments already given notice of and which are in our hands, we find that there are amendments galore not only from people on this side of the House but from the Deputy Speaker himself, from an important member of the Committee and from an important Parliamentary Secretary,—scores of amendments showing that even they are not satisfied with these rules and want improvements in the rules.

Then, the honourable members of this House who have just come from the mofassil, have not yet mastered the details and the implications of these rules. Although they had the draft in their hands weeks ago, they could not understand the details without parliamentary literature in their hands which was available in the Library here, even though it is not adequate here too.

My further reason is, Mr. Speaker, that you and your learned clerk at the table in that committee will be able to advise the members and suggest improvements in the light of your experience at the Delhi Conference of Speakers which you will not be able to do on the floor of this House.

My second reason why this amendment should be approved by the House is this, that the committee on whose behalf the Deputy Speaker has claimed to move this motion was not duly authorised by this House to prepare a draft. There is no resolution of the House authorising a committee to frame certain rules and present them before the House for the purpose of consideration, and even if that informal decision appointing the committee may be considered a due decision by the House, the committee has not fulfilled its duty of proper compliance with the instructions contained in that informal decision. The instruction issued to the committee was that it should prepare a report and lay it before the House at the next session, meaning thereby the Simla session of the Assembly. If it could not prepare and lay it before the House at that time, then it should have asked for leave for more time and then prepared the report. That is however a technical objection, and I am not banking on it.

My third ground for this amendment is that the draft in the form in which it is presented is objectionable in certain respects from the point of view of the convenience of members, from the point of view of critical study and analysis of those rules. The North-West Frontier Province Rules Committee's draft is on the table before me. I find that they have prepared a draft in a more convenient and better form. They have prepared it in two columns, stating in one column the *interim* rules and in the second column the proposed rules. I would go one better and suggest that these should have been framed in three columns, and now it should be the function of the committee which I recommend to the House to which this draft should be re-committed, to prepare it in three columns. In the first column it should have the *interim* rules, in the second the new rules and in the third the Parliamentary rules, Parliamentary conventions, Parliamentary standing orders in the House of Commons and make a report at the end stating how

far there are departures from the present rules and how far they are justified, how far there are departures from the House of Commons practice and how far they recommend the conventions of the House of Commons to be incorporated in the rules or adopted as conventions.

My fourth ground in favour of this amendment is—I have already referred to it in the concluding portion of my last ground that conventions are very necessary for the evolution of party government. I say conventions are the lubricating oil for the machinery of hard and fast rules of Parliamentary procedure, or to change the metaphor I might say that whereas the rules of procedure, written rules of procedure are the bones, the conventions are the flesh and blood for the body of Parliamentary rules as written down, and without conventions the rules are dead, they cannot help us in the growth of Parliamentary government, in the smooth

working of Parliamentary institutions. For instance, that committee might be instructed to report whether the convention regarding refusing leave for the introduction of Bills from whichever quarter of the House they may come should be adopted.

1 P.M.

*At this stage the Assembly adjourned for lunch.*

*The Assembly re-assembled at 2 P. M. Mr. Speaker in the chair.*

**Sardar Hari Singh :** Mr. Speaker, before lunch interval I was giving my arguments in support of my amendment. My fifth ground in support of my amendment is that although according to the statement of the Deputy Speaker the Rules Committee may have consulted the rules framed by other Assemblies, I do not think the draft rules framed by other Assemblies were available to the Rules Committee in their entirety and of all Provincial Assemblies. Now I suppose all the rest, besides the Punjab, Provincial Assemblies have framed their rules. They can be made available to our Select Committee and a comparative study may be made by that Committee.

My sixth ground in support of my amendment is that we have already received notices of scores of amendments to the draft rules and many more amendments are coming. Every half an hour we are receiving amendments from different sides of the House, bewildering in their variety, in their number and in their scope. The Committee which I propose would be able to examine all these critically and impartially and recommend to the House such amendments as are approved by the Committee unanimously. I at the beginning was speaking of the desirability of increasing the Speaker's powers. Mr. Speaker, the Speaker of the House has a dual capacity. He is in his first capacity a representative of the House as against authorities outside the House. In the second capacity he is the chairman who is the dispenser of even-handed justice between the different parts of the House and in particular he is the guardian of the rights and interests of the minorities. (*Hear, hear*). Mr. Speaker, by increasing the Speaker's powers in the first respect, that is in respect of his powers as against authorities outside the House, we shall be enhancing the powers and prestige of the House and widening the bounds of our liberties. In the second case by increasing the Speaker's powers we shall be increasing the Speaker's powers for better protection of the rights of the minorities. While on this point I may

[S. Hari Singh.]

just give certain instances or show certain directions in which the Speaker's powers may be increased, without going into details. With regard to the rule regarding private Bills requiring Governor's recommendations, the Speaker should be the final authority to decide the question whether the Bill requires Governor's recommendations or not. The Advocate-General may give his opinion but the Speaker should decide it. The Speaker should be the final authority of the House. In rule 149 again an amendment may be made to substitute 'Speaker' for 'Governor'. That will enhance the authority of the House without in any way curtailing the powers under the Government of India Act. As regards the safeguarding of minority interests I have to make a reference to the same rule to which I referred in the beginning—Introduction to 'Rules of Procedure at a Glance,' by Mr. Jones. It is an important reference. He says 'Democratic Government is based absolutely on the principle of majority rule. But a majority rule requires that the minority abide by the decision, by the will of the majority and the willingness of the minority to abide by the will of the majority is in turn based upon the willingness of the majority to permit the minority to have their say.' (The most important sentence which I wish to emphasise is this. 'The chief purpose of parliamentary procedure is to protect the rights of minorities.' We have to study, we have to test the draft rules on the touch stone of this basic principle of parliamentary procedure and when testing on this principle we find that it fails in certain respects. For instance, as regards the leave for adjournments while in the present rules it is enough if 30 members rise in support of the leave being granted, in the draft rules the number has been raised to 40. It is a change not in the direction of minority interests but in the direction of crippling the rights of the minority. Further on, Mr. Speaker, efforts for private initiative and enterprise should be widened. In this connection I might make a reference to a book—"Analysis of Government of the British Commonwealth"—page 32. Speaking on the subject of private initiative in the British Parliament, House of Commons, the writer says, 'It must be admitted at the outset that it is distant yet when it will be possible to throw out all initiative of the private members, when it will be formally admitted that legislation is the business of His Majesty's Ministers to the exclusion of all others and that criticisms must be limited to the opportunities afforded by Government business.' That is an important reference. Testing these rules on this principle we find that in rule 13 although it is stated that every Thursday will be reserved for the business of private members, the proviso to the rule takes away with the left hand what is given with the right hand. There is the danger of private members' time being taken away.

**Raja Ghazanfar Ali Khan :** On a point of order. My honourable friend is referring to the rules in detail, though he has got amendments in his name which may come up later.

**Mr. Speaker :** I requested the honourable member not to go into details at this stage.

**Sardar Hari Singh :** With due respect to your ruling, I stated that without going into details I was only making certain references in support of my point. That is all.

In the United Provinces 25 sittings a year have been, unconditionally set apart for private members' business. In the North-West Frontier Province draft rules, one-fourth of the sittings have been reserved for private members' business without any condition. I shall make a reference to the Speakers' Conference which has recently been held at Delhi.

**Mr. Speaker :** Will the honourable member please speak to the motion?

**Sardar Hari Singh :** I am not referring to any rules. I am only submitting that in the light of experience gained at the Delhi Conference you may be able to give advice in the select committee but you may not take part, and the Secretary may not take part in discussion on the floor. That Conference as far as we have the information which has percolated down to us through the Press, seems to have come to this conclusion. In the first place it is said, subject to correction by you Mr. Speaker, that in actual practice there should be uniformity of procedure in the legislative bodies of India. Now that is something which you can help us in securing by giving advice in the select committee. In the second place it is reported that the Conference was almost of unanimous opinion that the House should make rules concerning all subjects under its administration. As Governor has to consult the Speaker in framing his own rules, normally there should be no clash between the two Rules of the House. It has come to certain other conclusions to which I need not refer. With your permission I will refer to certain defects and important lacuna in the rules that require to be remedied—

- (1) Time for swearing-in for which specific provision is made in the House of Commons Standing Order 83. It requires to be specified in our rules.
- (2) In the House of Commons provision is made that members disabled by sickness or infirmity may be allowed to speak sitting by indulgence of the House.
- (3) Raising point of order during division time.
- (4) No substitute has been found for the King's Address in the House to enable the House to criticise ministerial policy and programme for the coming year.

Mr. Keith, a great constitutional authority in all matters concerning British Commonwealth Constitutions in his book 'The Constitutional Law of the British Dominions' says :

"While the speech from the throne has been abandoned, some substitute has been attempted in a declaration of ministerial policy."

So, that is a point worth consideration by the select committee where in our rules we may make a provision for some sort of substitute for the King's Address in the House by a declaration of ministerial policy in the House.

- (5) Then in the House we have got certain committees, such as, committee of privileges and select committee on estimates. The select committee may propose suggestions, to incorporate provisions for these committees in our rules.
- (6) There is certain amount of omission as regards the discussion of Governor's ordinance by the House. The House is within its

[8. Hari Singh.]

rights to discuss and disapprove an ordinance promulgated by the Governor when the Assembly is in session and at the earliest possible opportunity. Precedence should be given to a resolution on the Governor's ordinance over any other business or resolution from any member.

- (7) Translation of certain speeches at the discretion of the Speaker in abstract immediately after they have been delivered. It should be done by an official translator in Vernacular, because the majority of honourable members do not follow English.

As regards clauses and draft rules, I may only mention, with your permission, adjournment motion rule No. 43. I have already made a reference to it. It is definitely a retrograde step, but I will speak on it later. Then as regards language question, provision should be made in the rules that if a member declares his inability to express himself effectively and efficiently in English language that should be taken as a sufficient ground for exempting him from the operation of the rule. In rule 68 it is provided that a private member may not read his speech. That is invidious distinction. There is no reason why members of the Government should be allowed to read speeches. That is against rules of debate in any House.

As regards quorum, the number here is not specified. It is not stated whether in the quorum the Speaker is to be included. The number should be specified, 30 inclusive of the Speaker.

**Mir Maqbool Mahmood :** On a point of order Sir. My honourable friend is again repeating and detailing the amendments of which he has given notice.

**Sardar Hari Singh :** I come to the most important point of my discussion. In the draft rules certain rules have not been included on the mistaken notion that they are to be framed by the Governor and that they are not to be framed by the House. This is a question of great constitutional importance and I would commend this to the impartial and serious consideration of all sections of the House with the help of the Honourable Speaker. This question requires further exploration. The question is of great constitutional importance. In this connection I may refer to Lord Zetland's speech of May 6th, 1936. That was a time, Mr. Speaker, when there was an acute controversy over the issue of assurances. It was a time of deadlock in all the provinces of India and this statement of Lord Zetland was a turning point. Lord Zetland in his speech talking of the essence of the new constitution, said :—

“First, let it not be supposed that the field of the Government may be divided into two parts—”

That is a very important point which deserves the full consideration of the Government—

“wherein the Governor and the Ministry operate separately at the risk of clashes—”

There is to be no division of the Government into two halves, in one part Governor acting and in the other part Ministry acting—

“at the risk of clashes between them. The essence of the new constitution is that the initiative and.....”

**Mr. Speaker :** The honourable member is going too far. So I request him to speak to the motion.

**Sardar Hari Singh :** Lord Zetland further says :

".....responsibility for the whole Government of the province, though in form vesting in the Governor, passes to the ministry as soon as it takes office."

That means that the ministry is responsible over the entire field of Government. That means the House is responsible over the entire field of Government. Lord Linlithgow's pronouncement, which led to the acceptance of office by the Congressmen, says :—

"The Act, and the Instrument of Instructions which must be read with the Act have been approved by Parliament. Taken together they represent the intention of Parliament and the instruction given by Parliament to Governors. Those documents make it clear beyond any possibility of question that, under Provincial Autonomy in all matters falling within the ministerial field, including the position of the minorities, the service, etc., the Governor will ordinarily be guided in the exercise of his powers by the advice of his ministers, and that those ministers will be responsible not to Parliament but to the provincial legislature".

Further on it goes as follows :—

"There is no vestige of foundation for the assertion which I have seen advanced that the Governor is entitled under the Act at his pleasure to intervene at random in the administration of the province."

Still further it is as follows :—

"I have already stated that the ministers have the duty of advising the Governor over the whole range of the executive government within the ministerial field, including the area of special responsibilities".

What I wish to draw from this is that the proper interpretation of the Constitutional Act is that the ministry is responsible for the entire field of Government normally and, therefore, the House is responsible for the entire field of Government normally. The Governor in extreme cases may interfere but he only comes in as a fire extinguisher. It is laid down for the guidance of Governors in the Instrument of Instructions that they should act in such a way.....

**Minister for Revenue :** Is this relevant to the question now before the House ?

**Sardar Hari Singh :** Certainly. It is quite relevant.

**Mr. Speaker :** It will not be right perhaps to rule that the honourable member is irrelevant. An able lawyer can make any irrelevant matter relevant. But I may say that the honourable member is going too far.

**Minister for Revenue :** He is a mere teacher.

**Lala Bhim Sen Sachar :** He is a maker of lawyers. He is a producer of lawyers.

**Sardar Hari Singh :** Coming to section 84 of the Government of India Act regarding the framing of rules, I may examine specific cases. It is laid down that the Governor may frame rules.

**Mr. Speaker :** What is the honourable member discussing ?

**Sardar Hari Singh :** I am discussing that the House is entitled to frame rules of business.

**Mr. Speaker :** That matter is not before the House.

**Sardar Hari Singh :** I am referring to and discussing this matter to drive home the fact that there are very important omissions in the rules which should be repaired by the select committee.

**Mr. Speaker :** It is enough to say so and pass on.

**Sardar Hari Singh :** I want to make the House believe that this is really an important omission and it ought to be repaired. I am sure I am within my right to refer to these things. I am only giving my argument as to why this omission should be repaired and as to why such a rule should be included in the rules. For instance, it is laid down that the Governor in his discretion will frame rules for the timely completion of financial business. My point is that the Governor has got to frame his own rules but our responsibility is not deminished thereby. The House and the ministry is responsible for the timely completion of financial business.

Coming to the question connected with Indian States, the House is responsible that we should not ask questions regarding Indian States except when certain conditions are fulfilled. We must have a rule which may prevent members from infringing the provision of the Act. We must have in our Rules of Procedure a provision that a member shall not do certain things. The Governor can also have a rule to that effect. The Governor comes in as a fire extinguisher. Normally we are responsible for all the powers, for all the responsibilities, for all the safeguards vested in the Governor, i.e., protection of the rights of the minorities, law and order. All those things for which the Governor is responsible, the House should be responsible normally. When the Governor does not step in with his Rules, we should have Rules for this purpose. That is my point.

**Mr. Speaker :** Motion under consideration, amendment moved is :—

That the draft rules be re-committed to an enlarged and more representative committee to be appointed by the Speaker.

**Mir Maqbool Mahmood** (Parliamentary Secretary) : Mr. Speaker, I am sure both sides of the House will appreciate the sentiments expressed by the honourable mover of the amendment that in discussing these rules we should not unnecessarily rush matters and that we should consider them with due attention which they deserve. I can assure the honourable members of the House that we did not forget this when we discussed these rules in the Committee appointed for the purpose. Moreover, I hope I am divulging no secrets of that Committee if I say that on most questions and rules we came to unanimous decisions, and that on the questions where there had to be a vote, it was not necessarily on party lines (*Hear, hear*).

I will now address myself to some of the fundamental points raised by my honourable friend opposite. He says that the rules be referred to an enlarged and more representative committee. I submit that under section 84 of the Government of India Act, the right of framing rules belongs to this House. The Assembly, on the 12th April 1937, referred this matter to a committee and these are the words then used by you, Mr. Speaker :—

“So, with the approval of the House I propose to appoint a small committee, representing all parties, for drafting and submitting Rules and Standing Orders for consideration at the next session of the Assembly.”

You later on said " I think I have the approval of the honourable members. The purpose of the committee will be to draft rules and place them before the House for consideration and approval." This the committee has done. I submit that if there are any important matters that require consideration they would certainly be considered by the House when individual amendments come up for discussion. I can assure my honourable friend that on merits we will give the various amendments the consideration which they deserve.

Sir, my honourable friend further stated that the bulk of the amendments is very large and therefore it is an argument to send back the rules for further consideration. I for one feel that considering the complexity of the problems involved in the draft rules the amendments which have been sent are by no means such as should be considered discouraging. I have gone through the list of amendments received up to this morning, and while paying my genuine compliments to the honourable mover of this amendment for the industry he has displayed, let me state that when these amendments are considered there will be found very few, which have not already received the consideration of the committee and very few, if any, which raise important new questions which have not already been discussed. Therefore I repeat that the matter is for the House to consider the various amendments on merit.

Attention has also been invited to some of the Standing Orders of the House of Commons. I may tell honourable members of the House that we started on the basis that we should ordinarily accept the procedure of the House of Commons except where special circumstances of the province demand a change. It was on that basis that, with the valuable assistance of the Secretary of the Legislative Assembly, we have approached this matter in the committee.

The third point raised by my honourable friend is one of fundamental importance, as to why the Governor's rules have not been included in our draft. I submit that that is a question on which opinions may differ as regards the interpretation of some of the provisions of the Act. We considered this matter in the committee. We recognised that, opinions may differ as to whether a particular rule should or should not properly be left for inclusion in the Governor's rules, but section 84, sub-clause (1) made it clear that if and so far as any rule so made by the Governor is inconsistent with any rule made by the Chamber, the Governor's rule shall prevail. We therefore felt that it was unwise to cover in our rules the ground reserved in the Act for the Governor's rules, particularly as the Act laid down that if our rules and the Governor's rules conflict the Governor's rules shall prevail. I concede that it is an open question as to what rules are *ultra vires* for the Governor or the Assembly to frame. It is a matter which we can discuss when individual amendments come up.

I would submit that so far as the consideration of the rules is concerned the best procedure would be not to delay further action in the matter by reference to any other enlarged committee. The committee has already given the question its most anxious consideration and it is for the House now on the basis of the draft and the amendments received to express its verdict.

**Rai Bahadur Mr. Mukand Lal Puri** (Rawalpindi Division, General, Rural): As a member of the Rules Committee I think it my duty to protest against the attempt which is being made to delay the passing of the Rules of procedure by the House. The Government of India Act has laid a duty on the House to frame its own rules. In pursuance of that statutory duty this House appointed a sub-committee to frame draft rules of procedure. It is impossible for a House of 175 members to frame rules without having some kind of draft; and what this committee has done is simply that it has put up a draft before you to provide a basis for consideration and discussion. It is open to this House to delete any rule which it disapproves or add a new rule which it likes or move any amendment to the draft rules. The honourable mover of the amendment himself pointed out that this matter has already been delayed. He made a grievance of it and I think, quite rightly that this matter was not put up at the last session as was originally intended. Is there any reason, Sir, why we should delay it any longer and refer the rules to another sub-committee with no other purpose except that the draft may be amended in a few particulars? Would the amended draft have greater sanctity than the draft which is now before the House? The sub-committee appointed by the House was a representative sub-committee and it consisted of a number of well known lawyers like myself, Sardar Sampuran Singh, Lala Duni Chand, Diwan Chaman Lal, Mian Abdul Aziz and also the Deputy Speaker and Mr. Speaker, who are also lawyers. We had the advantage of the assistance of the experience of the Speaker, who has been President of the last Legislative Council and also the assistance of our able and experienced Secretary. Later on, we had the advantage of the advice of the Honourable Finance Minister who is also a well known lawyer. The committee had 11 sittings and most of the days we used to have morning and evening sittings. I can confidently assert that the matter was very thoroughly examined by the sub-committee. The appointment of another sub-committee would be, in my opinion, not only entirely useless but sheer waste of time and money. The present draft, to say the least about it, is just as good a draft, to form the basis of discussion, as any other that might be put up by any other committee. May I bring to the notice of the House that more than 90 per cent. of the decisions of the sub-committee were unanimous and the others which are majority decisions are now before the House and open to its vote and can be deleted or amended, if so desired by the House. I am not unsympathetic to the suggestion of the honourable mover that we should increase the powers of the Speaker of the House as it is believed by some that this amounts to increasing the power of the House itself and further I am entirely in accord with those who suggest that the rules should be so amended as to give the minority groups greater chance of expressing their opinion than is provided by the rules. Both these objects can be achieved by proper amendments by the House. Let amendments be moved to increase the power of the Speaker or to give the minority groups greater chances of expression of their opinion and the House can record its decisions. No object will be served by recommitting these rules to another committee. These rules after all are draft rules. I therefore oppose this amendment.

**Nawab Sir Malik Muhammad Hayat Khan Noon** (North Punjab, Landholders): Sir, I rise to oppose this amendment. In my opinion if the

amendment is carried and a big committee formed it will entail waste of time, energy and of public funds. If I remember correctly the last committee so formed included 14 or 15 members from different parties of the House and that committee sat for many days and gave best attention to the draft rules. If there are any defects in the rules, I am sure they can be put right by amendments and I am also sure that the honourable mover must have sent in his amendments, which he considers necessary and will improve the working of the Assembly. No doubt generally speaking these committees are useful and good but I may be allowed to say that there is a limit even to good things. Now the draft rules are before the House and the House can consider all the amendments put forward by the honourable mover which are considered necessary. I submit that there is no necessity for forming a new big committee which will entail loss of public time and money.

**Sardar Hari Singh :** Mr. Speaker, as there are dissentient voices from different parts of the House, I do not think it desirable on my part to press the motion. There is, however, one misgiving working in my mind which I will state before the House. It is no doubt true that amendments can be considered on the floor of this House even without making party question of them. But there is one doubt in my mind. I may be right or I may be wrong—that there are certain clauses which if placed, may be ruled out on the ground that they are to be framed by the Governor. This is a very important issue as it involves the power of the House to frame rules over the entire field of administration, over the entire field of Government. So on this most important issue if a technical objection is raised that such and such rule cannot be framed by the Assembly, this has been framed by the Governor exercising his discretion, there will be no opportunity afforded to the House to discuss the legality and desirability of including or excluding that rule in the draft rules. If that point is made clear by the Government that they will not take objection to the discussion of the desirability of including a rule on the ground that that has to be framed by the Governor, then I am not going to press this amendment to the House.

*The motion was, by leave, withdrawn.*

**Mr. Speaker :** The question is—

That the draft rules prepared by the committee appointed for the purpose be taken into consideration.

*The motion was carried.*

#### Rule 1.

**Mr. Speaker :** Now the House will proceed to take the draft rules into consideration. The question is—

That rule 1 be adopted.

*The motion was carried.*

#### Rule 2.

**Sardar Hari Singh** (Kangra and Northern Hoshiarpur, Sikh, Rural) :  
Sir, I move—

That the following be added at the end :—

“and shall cause a notification to be issued in the Gazette.”

[8. Hari Singh.]

In this connection I have to submit that the notification in the Gazette should be issued on the authority of the officers of the House and it may not be left with the Chief Secretary or any other Secretary of the Government to issue a notice in the Gazette which rightly ought to be issued by an officer of the House. In the Frontier Assembly they have got a provision to this effect, so I do not see there can be any technical objection to this.

**Mr. Speaker :** The question is—

That the following words be added at the end of rule 2 :

“and shall cause a notification to be issued in the Gazette.”

*The motion was carried.*

**Mr. Speaker :** The question is—

That rule 2, as amended, be adopted.

**Khan Muhammad Yusuf Khan :** On a point of order, Sir. I have given notice of an amendment....

**Mr. Speaker :** The notice was received only to-day. Besides, the honourable member's amendment appears to be out of order. The amendment is—

That at the end the words “and shall give at least a week's notice to all the members” be added.

This is clearly out of order, inasmuch as the power of summoning the Assembly vests in the Governor and it is for him to decide when it may be summoned and at how many days' notice. The question is—

That rule 2, as amended, be adopted.

*The motion was carried.*

### Rule 3.

**Mr. Speaker :** The question is—

That rule 3 be adopted.

*The motion was carried.*

### Rule 4.

**Sardar Dasaundha Singh (Deputy Speaker) :** I beg to move—

That the following be substituted for rule 4 :—

“Subject to the provisions of sub-section (2) of section 73 of the Act all pending notices shall lapse on prorogation.”

There is a little bit of mistake in the amendment of which I have given notice. Only sub-section (2) of section 73 of the Act is applicable, sub-sections (3) and (4) are not applicable. They have been inserted by mistake. It is sub-section (2) of section 73 of the Government of India Act alone that is applicable and sub-sections (3) and (4) are not at all applicable, so far as the question of prorogation of Assembly is concerned. This amendment involves only a change of language. The form has been improved. Improvement has been made by including reference to sub-section (2) of section 73. The Parliamentary practice is that all proceedings which have not been finished, lapse, but the Government of India Act makes an exception in this respect and that exception has been incorporated in this rule as amended.

**Mr. Speaker :** The question is—

That the following be substituted for rule 4 :

“Subject to the provisions of sub-section (2) of section 73 of the Act all pending notices shall lapse on prorogation.”

*The motion was carried.*

*Rule 5.*

**Dr. Gopi Chand Bhargava** (Lahore City, General, Urban) : I beg to move—

That in lines 3—6 of sub-rule (4), for the words “ be put .....division ” the words “ be decided by method of voting by secret balloting ”.

**Mr. Speaker,** in the old interim rules the method of election of Speaker was by ballot. In these rules, it is put down in sub-clause (4) :

“If the names of other members be proposed and seconded, the questions shall be put one by one in the order in which the motions have been moved, and determined, if necessary, by division.”

This means that the election of the Speaker shall be an open one. I admit that in other countries, probably in England, it is an open election, it is not by ballot or by secret ballot. But the experience which we had last time in our own House has forced me to move this amendment. It is not only by ballot but it is by secret ballot that I am proposing. The parties as formed in England are of a different nature, different from those on which the parties in our country and in our province are formed. Last time when the election was held the whips of one party were standing by the ballot box. They were so seated that they could watch which side a member voted.

This was really an attack on the freedom of voting of a member. I know that if any question is made a party question, the members of that party have to vote as the party decides, but even then the members are free to vote if the vote is by ballot. The election of Speaker should not be a party question because according to the conventions which have been established in England, the Speaker is taken to be a no-party man, at least in the House. Therefore his election should not be a party question. The method which was adopted last time has created some suspicion in our minds and, therefore, I am opposed to an open election of the Speaker. I beg to move that the election be by a secret ballot.

**Mr. Speaker :** This amendment, if accepted, shall require a redrafting of the rule. The rule cannot stand as it is and the amendment, if made, will make the whole rule impracticable. Is the honourable member insistent that the amendment moved by him be proposed from the Chair and considered by the House ?

**Dr. Gopi Chand Bhargava :** I would submit that I want that the House should decide whether they want an open election or by ballot. If it is a question of language, then I do admit that I am not conversant with the English language, nor am I a constitutional lawyer.

**Mr. Speaker :** It will be readily conceded, I hope, that if voting is to be by ballot, nominations should be made beforehand, as some time is necessary for getting the ballot papers printed, and consequently the rule as it stands shall have to be altered in its entirety. In other words, the

[Mr. Speaker.]

amendment, as worded is meaningless. Besides, if allowed, it will destroy the clause.

**Dr. Gopi Chand Bhargava:** Would it not be in order if consequential changes are made after this amendment is accepted?

3 P.M.

**Mr. Speaker:** Very drastic changes shall be necessary.

**The Honourable Dr. Sir Sundar Singh Majithia:** On this question even in the House of Commons there is a division. That I understand is the procedure of the House of Commons.

**Mrs. J. A. Shah Nawaz:** Even in the dominions.

**Dr. Gopi Chand Bhargava:** I do admit that election in other countries and in other parliaments is quite open. It is not by ballot. But I submit that the party system as it exists to-day in our province is not the same as it exists in other countries. That is why I submit that it should be by ballot.

**The Honourable Chaudhri Sir Chhotu Ram:** Has the Punjab Congress come to believe in the sin of secrecy?

**Dr. Gopi Chand Bhargava:** It is not the Punjab Congress but it is the Punjab Unionist Party.

**Mr. Speaker:** The amendment proposed by the honourable member does not fit in. Therefore, I am unable to allow it.

**Dr. Gopi Chand Bhargava:** It is for you. If you declare it out of order, I have nothing to say. But I was permitted to move it.

**Sardar Hari Singh:** I suggest that the consideration of this rule be postponed and the Leader of the Opposition allowed to bring in a proper amendment so that this most important matter may again be considered.

*(This suggestion was not accepted by the House.)*

**Sardar Hari Singh:** I move—

That the following new rule be added as sub-rule (2):—

“(2) A member of the Assembly appointed by the Governor in his discretion to perform the duties of Speaker for the purposes of this election shall preside over the meetings.”

**Mr. Speaker:** This amendment is covered by section 65 (3) of the Government of India Act. So it is quite unnecessary.

**The Honourable Mr. Manohar Lal:** It is against all principles of proper draftsmanship to write a commentary on the Government of India Act in the body of the rules with the imaginary object of clarification.

**Sardar Hari Singh:** If that objection is valid, then the provision in rule 2 is also superfluous.

**Mr. Speaker:** I think the amendment proposed by Sardar Hari Singh is not necessary. In fact it is redundant. The question is—

That rule 5 be adopted.

*The motion was carried.*

*Rules 6 and 7.*

**Mr. Speaker :** The question is—

That rules 6 and 7 be adopted.

*The motion was carried.*

*Rule 8.*

**Sardar Dasaundha Singh (Deputy Speaker) :** Sir, I beg to move—

That for the word "resolution" wherever it occurs, the word "motion" be substituted."

This verbal change is necessary. The word 'motion' is the proper word and not the word "resolution". Therefore, this verbal alteration is necessary.

**Pandit Muni Lal Kalra :** On a point of order, Sir. My submission is that rule 8 appears to have been drafted in accordance with section 65 of the Government of India Act. But the language of the proposed rule runs thus—

"Any resolution to remove the Speaker or Deputy Speaker from office of which notice as required under section 65 of the Act has been given shall, soon after its receipt, be read to the Assembly by the Speaker who shall then request the members who are in favour of leave being granted to move the resolution to rise in their places, and if not less than fifty members rise accordingly the Speaker shall allow the resolution to be moved. If less than fifty members rise, the Speaker shall inform the member who has given the notice that he has not the leave of the Assembly to move it."

There are two conditions given in Rule 8, sub-section (1). One is with regard to the procedure and the way in which a resolution is to be moved, and the second, under what conditions it is to be allowed. If you will kindly read the relevant portion of sub-section (2) of section 65 of the Act, you will see that the wording of the section is quite clear. There is no necessity of this rule being incorporated in these rules. It says—

"A member holding office as Speaker ..... may be removed from his office by a resolution of the Assembly passed by a majority of all the then members of the Assembly; but no resolution for the purpose of this sub-section shall be moved unless at least fourteen days' notice has been given of the intention to move the resolution".

Now the idea of putting an arbitrary figure of 50 is simply to prevent a resolution of this nature being moved frivolously. But to that condition there is already a provision in the Act to the effect that no resolution of this nature could be moved unless at least 14 days' notice has been given. The period of 14 days is there, so that the provision made in the section is quite clear. This rule is, therefore, unnecessary.

**Mr. Speaker :** The proposed rule apparently means that if 50 members rise to support the motion then and then alone it can be discussed.

**Pandit Muni Lal Kalra :** But this condition as proposed in the rule is in contradiction to the condition given in the Act itself. There are two conditions given in the Act. One is that such resolution when moved shall be passed by a majority of the House. The other is that 14 days' notice is required. So these conditions are quite clearly discussed in the Act. If you are going to incorporate any rules, I think, it will be in contradiction to the conditions already given in the Act.

**Mr. Speaker :** Leave to move is one thing and moving of the motion itself is another thing.

**Pandit Muni Lal Kalia :** My submission is that two conditions are already given in the Act itself. A resolution is sufficient and a bare majority is sufficient to remove the Speaker and it is a provision made in the Act itself. The other thing is that the period of notice required for such a proposal is 14 days. So the incorporation of new conditions in the rule is not only in accordance with the spirit of the Act but unnecessary because in the Act there are only two conditions and the third condition would take away other conditions—even if there is a majority, and even if there is 14 days' notice, the simple fact that 50 members of this House do not rise in their places—the real purpose of this section will be killed. My submission in this case is that there should be no amendment to that section.

Now I come to another point as to why the number of 50 has been fixed. If you read section 66 of the Act you will kindly see that one-sixth of the total number of members makes the quorum and as such the quorum of this House is 30 members. So, if the proceedings of this House can be carried on with 30 members, it is most ridiculous to say that 50 members should stand up in their places to say that the Speaker should be removed or not. In this case I am not in a position to state and should not state that the number 50 is a big one and that it should be brought down to 30.

**Mr. Speaker :** It appears that the honourable member has not read the section carefully. If he would refer to sub-section (2), he will find that for the removal of Speaker a resolution is to be passed by a majority of all the then members of the Assembly.

**Pandit Muni Lal Kalia :** When a majority is sufficient to remove the Speaker, then what is the necessity of fixing the number at 50.

**Minister for Finance (The Honourable Mr. Manohar Lal) :** Sir, I see no contradiction whatever in the rule as framed by the Committee and the section of the Government of India Act to which a reference has been made. The section of the Government of India Act provides that the removal of Speaker shall be contingent on the majority of the Assembly reaching that decision and that there shall be 14 days' notice for a motion of this character. These statutory requirements have not been modified in any manner. They are here still in their full validity. What we do say is this, that it is a very important matter which the House has to take into consideration—the question of the removal of the Speaker. Now the rule proposed is that such a motion or such a resolution shall not be taken into consideration unless it is supported by at least 50 members of the House. I for one do not see that the Government of India Act prevents or prohibits that procedure being adopted in this House.

The other thing we have already agreed to is that the notice shall be of 14 days. It will be an incorrect method of approach to any Act like the Government of India Act to say that where certain conditions are laid down like those that are laid down in the section, it is not open to this Assembly in framing its own rules of procedure to say that before a motion of the kind under consideration can be taken up, certain procedural limitations, such as the support of 50 members cannot be imposed. I think, if I am permitted to state for myself, I will be acting wholly in the spirit of the Act if

we are to say, in expressing our opinion on an important matter whether our Speaker shall remain in his chair or be removed, that there ought to be a fair body of opinion demanding his removal. If a fair number of people wish to remove the person who is placed in the chair with the support of the majority of members of the House, of all shades of opinion, that would ensure that the question of the removal of the Speaker should not be a matter raised or resolved by any kind of snatch vote. Fifty members must be forthcoming to support a motion of this character, before they can secure a verdict from the majority of the House. Sir, I see nothing inconsistent in the rule as framed and the requirements of the Government of India Act.

**Mr. Speaker :** The question is—

That for the word "resolution" wherever it occurs, the word "motion" be substituted.

*The motion was carried.*

**Mr. Speaker :** I think in the opening words in Rule 8 (1) for the word "any" the word "A" be used. May I suggest that for the word "Any"—the first word of the Rule—the word "A" may be substituted?

*The suggestion was accepted.*

**Mr. Speaker :** The question is—

That rule 8 as amended be adopted.

*The motion was carried.*

**Dr. Gopi Chand Bhargava :** Before you proceed to Rule 9, I beg to draw your attention to one thing. In item (2) Rule 8 it is put down—

"As soon as may be after the leave is given, a copy of the resolution shall be forwarded to the Leader of the House who shall find time for its discussion, and the resolution shall be taken up on the day fixed by the Leader of the House for the purpose".

No time limit is given here.

**Mr. Speaker :** It is fourteen days.

**Dr. Gopi Chand Bhargava :** Fourteen days after the leave is granted?

**Mr. Speaker :** Yes.

#### Rule 9.

**Mr. Speaker :** The question is—

That rule 9 be adopted.

*The motion was carried.*

#### Rule 10.

**Mr. Speaker :** The question is—

That rule 10 be adopted.

*The motion was carried.*

#### Rule 11.

**Mr. Speaker :** The question is—

That rule 11 be adopted.

*The motion was carried.*

*Rule 12.*

**Dr. Gopi Chand Bhargava** (Lahore City, General, Urban) : I beg to move—

That in line 2 of sub-rule (1), after the word "Tuesdays" the word "Wednesdays" be added; (ii) in line 3 after the word "Fridays" the word "Saturdays" be added.

Sir, if Rule 12 is adopted as it exists, that would mean that we shall be working for four days in a week and that in turn would mean twenty hours a week. I think that during the days when we do not work, we either go to our places and get a first class return fare and if we stop here we get a daily allowance of Rs. 22-8-0 a day. When we multiply Rs. 22-8-0 by 8 it comes to Rs. 67-8-0 which is the amount given if we stop in Lahore and do nothing. I think that when we meet here for business, we ought to carry on business for as long a time as we possibly can. I know it will be argued that Wednesdays and Saturdays are kept free for the honourable ministers to dispose of their work. What I suggest is that the meetings be begun from 2 o'clock in the afternoon. That would leave sufficient time for the ministers to dispose of their work in the morning too. Thus you find if we work for six days we will be putting in thirty hours a week. For a labourer working under International Law forty hours a week is the limit, but in India we take more work. Even from the doctors who are put in charge of hospitals thirty hours a week work is demanded. Sunday is off for them and they are expected to do five hours' duty a day which means that because they have to do more of brain work and other work, therefore they are given more free time to walk about and to avoid infections from infectious diseases. If we look to the clerks we find that they are expected to work six hours a day and in some places they are given a half holiday on Saturdays but in Government offices they are given a day off only on the last Saturday of the month if there is no pressure of work. Therefore, I submit that we should also set an example and sit and work for six days in a week and if possible for five hours a day and thus avoid the waste of public money.

**Mr. Speaker :** Rule under consideration, amendment moved is—

That in line 2 of sub-rule (1), after the word "Tuesdays" the word "Wednesdays" be added; (ii) in line 3 after the word "Fridays" the word "Saturdays" be added.

**Sardar Dasaundha Singh :** Working consistently throughout the week every day would not conduce to better work. We can economise time in other ways, but for full preparation and for good work it is necessary that there should be off days. Apart from this, there are other considerations, for example, that there should be time for party meetings and there should be time for members to gather together in their different groups and to consult each other so far as the conduct of business is concerned. Besides meetings of various select committees are to be held. I, therefore, oppose this motion.

**Dr. Gopi Chand Bhargava :** Do you get off days in courts ?

**Minister for Revenue :** Do you want us to work from morning till night ?

**Mr. Speaker :** The question is—

That in line 2 of sub-rule (1), after the word "Tuesdays" the word "Wednesdays" be added; (ff) in line 3 after the word "Fridays" the word "Saturdays" be added.

*The motion was lost.*

**Rai Bahadur Mr. Mukand Lal Puri** (Rawalpindi Division, General, Rural) : I beg to move—

That for sub-rule (2), the following be substituted :

“The Assembly shall meet at 2 P.M., except on Fridays when it shall meet at 2-30 P.M.”

These are the hours of sittings of the last Council ever since its inauguration. I need not give any arguments beyond this that there is a general feeling of a very large number of members in favour of afternoon sittings.

**Mr. Speaker :** Rule under consideration, amendment moved—

That for sub-rule (2) the following be substituted, —

“The Assembly shall meet at 2 P.M. except on Fridays when it shall meet at 2-30 P.M.”

**Minister for Revenue :** Sir, on behalf of Government I am prepared to accept this amendment.

**Mr. Speaker :** The question is—

That for sub-rule (2) the following be substituted :—

“The Assembly shall meet at 2 P.M. except on Fridays when it shall meet at 2-30 P.M.”

*The motion was carried.*

**Mir Maqbool Mahmood :** I beg to move a consequential amendment in view of the decision reached—

In rule 12, sub-clause (2), delete the lines which read “and there shall be a lunch interval of one hour on days other than Fridays when the interval shall extend to two hours.”

This is only a consequential amendment.

*The motion was carried.*

**Dr. Gopi Chand Bhargava :** I beg to move—

That in sub-rule (3), line 3, for the word “five” the words “half-past seven” be substituted.

*The motion was lost.*

**Rai Bahadur Mr. Mukand Lal Puri :** I beg to move—

That in sub-rule (3), lines 1—5, for the words “ if the .....Fridays ” the following be substituted :—

“If the business set down in the list of business for the day is completed earlier, or at half-past six on Mondays, Tuesdays and Thursdays and at seven of the clock on Fridays”.

If this amendment is carried the effect will be that we will be adopting the same time table as was observed by the last Council except that the present Assembly will be sitting for half hour each day more than the old Council was sitting. There is a considerable feeling that the time of sittings of the Assembly should not be increased, but I do not wish to take up that matter now. I wish to suggest a time table which appears to me to have the maximum support.

**Mr. Speaker :** Rule under consideration, amendment moved is—

That in sub-rule (3), lines 1—5, for the words “if the .....Fridays” the following be substituted :—

If the business set down in the list of business for the day is completed earlier, or at half-past six on Mondays, Tuesdays and Thursdays and at seven of the clock on Fridays”.

**Minister for Revenue :** I am prepared to accept this amendment, Sir.

**Mr. Speaker :** The question is—

That in sub-rule (3), lines 1—5, for the words “if the .....Fridays” the following be substituted :—

“If the business set down in the list of business for the day is completed earlier or at half-past six on Mondays, Tuesdays and Thursdays, and at seven of the clock on Fridays”.

*The motion was carried.*

**Lala Duni Chand** (Ambala and Simla, General, Rural) : I move—

That the proviso to sub-rule (3) (b) be deleted and the following be substituted :—

“Provided that the Speaker before allowing such a debate to be raised shall ask the members to stand in their seats and if 50 or more members will stand, the leave to raise the debate shall be deemed to have been granted otherwise the debate shall not be allowed to be raised.”

Sir, according to the draft rules one very important right has been conceded to this House, namely, the right to debate for half an hour, on an important matter that might arise in course of the exercise of the right of interpellation. I value this right as a precious right. But in order to make the exercise of this right effective, it is necessary that it should not be the majority of the whole House that should decide, but it should suffice if any substantial section of the House wants a question to be debated for half an hour, permission should be granted. Under the existing proviso unless there is a majority of the whole House that right cannot be exercised. I have, therefore, substituted another proviso which means that if instead of the majority of the whole House as many as 50 members of the House are in favour of the debate being raised for half an hour, leave should be granted. As it appears Government has been in a very reasonable mood (*hear, hear* from the Treasury benches), I hope they will accept this amendment of mine. My difficulty is that very often we see that some very important matters affecting a large number of people are not allowed to be raised in this House by unreasonable attitude of those benches (*‘Thank you’* from the Treasury benches). Therefore, as in course of the exercise of right of interpellation good many questions arise that affect a large number of people the right should be given to the members, to raise a debate for half an hour. If this is not allowed the right that has been given with one hand will be taken away with the other. In order to secure half an hour for any important question arising in course of questions, if Government insist upon a majority of the whole House, that right is reduced to nothing. If you believe that members of this House are reasonable people then if as many as 50 members—I am not asking too much—if as many as 50 members are of the opinion that the question is important enough to be debated for half an hour that right should be conceded. I hope Government will be good enough to accept this amendment.

**Mr. Speaker :** Rule under consideration, amendment moved is—

That the proviso to sub-rule (3) (b) be deleted and the following be substituted :—

“provided that the Speaker before allowing such a debate to be raised shall ask the members to stand in their seats and if 50 or more members will stand, the leave to raise the debate shall be deemed to have been granted otherwise the debate shall not be allowed to be raised.”

**Lala Deshbandhu Gupta :** May I have your permission to request the honourable mover of this amendment to reduce the number from 50 to 30 ?

**Mr. Speaker :** There is another amendment in the name of Pandit Muni Lal Kalia. It proposes to reduce the number to 20.

**The Minister for Finance :** I think we ought to keep the rule as framed.

**Pandit Muni Lal Kalia :** I am in favour of the number being reduced to 30.

**Mr. Speaker :** The question is—

That the following proviso to sub-rule (3) (b) be deleted and the following be substituted :—

“ provided that the Speaker before allowing such a debate to be raised shall ask the members to stand in their seats, and if 50 or more members will stand, the leave to raise the debate shall be deemed to have been granted otherwise the debate shall not be allowed to be raised .”

*The motion was lost.*

**Pandit Muni Lal Kalia** (Ludhiana and Ferozepore, General, Rural) : Sir, I beg to move the following amendment—

That in lines 2—7 of proviso to sub-rule (3) (b), for the words “informally ..... be raised,” the following be substituted :—

“request the members who are in favour of a debate being raised to rise in their places and if not less than 30 members rise accordingly, the leave shall be granted.”

**Mr. Speaker :** The question is—

That in lines 2 to 7 of proviso to sub-rule 3 (b), for the words “informally..... be raised” the following be substituted :—

request the members who are in favour of the debate being raised to rise in their places and if not less than 30 members rise, the leave shall be granted”.

*The Assembly divided : Ayes 44 ; Noes. 76.*

#### AYES 44.

Abdul Aziz, Mian.  
Ajit Singh, Sardar.  
Anant Ram, Chaudhri.  
Bhagat Ram Sharma, Pandit.  
Bhim Sen Sachar, Lala.  
Chanan Singh, Sardar.  
Deshbandhu Gupta, Lala.  
Duni Chand, Lala.  
Ghulam Hussain, Khawaja.  
Ghulam Samad, Khawaja.  
Gopal Das, Rai Sahib Lala.  
Gopi Chand Bhargava, Dr.  
Hari Lal, Munshi.  
Hari Singh, Sardar.  
Harjab Singh, Sardar.  
Het Ram, Rai Sahib Chaudhri.

Kabul Singh, Master.  
Kapoor Singh, Sardar.  
Kartar Singh, Sardar.  
Kishan Singh, Sardar.  
Lal Singh, Sardar.  
Mubarik Ali Shah, Sayed.  
Muhammad Abdul Rahman Khan, Chaudhri.  
Muhammad Hassan, Chaudhri.  
Muhammad Iftikhar-ud-Din, Mian.  
Muhammad Yusuf Khan, Khan.  
Mula Singh, Sardar.  
Muni Lal Kalia, Pandit,  
Muzaffar Ali Khan Qazilbash, Sardar.  
Partab Singh, Sardar.

Prem Singh, Chaudhri.  
 Prem Singh, Mahant.  
 Raghbir Kaur, Shrimati.  
 Ram Narain Virmani, Seth.  
 Ram Sarup, Chaudhri.  
 Ranpat, Chaudhri.  
 Rur Singh, Sardar.

Sampuran Singh, Sardar.  
 Sant Ram Seth, Dr.  
 Shri Ram Sharma, Pandit.  
 Sohan Singh Josh, Sardar.  
 Sudarshan, Lala.  
 Sumer Singh, Chaudhri.  
 Suraj Mal, Chaudhri.

#### NOES 76.

Abdul Hamid Khan, Sufi.  
 Abdul Haye, The Honourable Mian.  
 Abdul Rahim, Chaudhri (Gurdas-  
 pur).  
 Abdul Rahim, Chaudhri (Gurgaon).  
 Afzaalali Hasnie, Sayed.  
 Ahmad Yar Khan Daulatana, Khan  
 Bahadur Mian.  
 Ahmad Yar Khan, Chaudhri.  
 Akbar Ali, Pir.  
 Ali Akbar, Chaudhri.  
 Amjad Ali Shah, Sayed.  
 Badar Mohy-ud-Din Qadri, Mian.  
 Balwant Singh, Sardar.  
 Bhagwant Singh, Rai.  
 Binda Saran, Rai Bahadur.  
 Chhotu Ram, The Honourable Chau-  
 dhri Sir.  
 Dasaundha Singh, Sardar.  
 Faiz Muhammad, Shaikh.  
 Faqir Chand, Chaudhri.  
 Fateh Jhang Singh, 2nd Lieut. Bhai.  
 Fateh Muhammad, Mian.  
 Fateh Sher Khan, Malik.  
 Fazl Ali, Khan Bahadur Nawab  
 Chaudhri.  
 Fazal Din, Khan Sahib Chaudhri.  
 Fazal Karim Bakhsh, Mian.  
 Ghazanfar Ali Khan, Raja.  
 Ghulam Rasul, Chaudhri.  
 Girdhari Das, Mahant.  
 Gopal Singh (American), Sardar.  
 Gurbachan Singh, Sardar Sahib  
 Sardar.  
 Hans Raj, Bhagat.  
 Indar Singh, Sardar.  
 Jagjit Singh Man, Sardar.  
 Jahan Ara Shah Nawaz, Mrs.  
 Jahangir Khan, Chaudhri.  
 Jogindar Singh Man, Sardar.  
 Jugal Kishore, Chaudhri.

Karamat Ali, Shaikh.  
 Khizar Hayat Khan Tiwana, The  
 Honourable Nawabzada Major.  
 Manohar Lal, The Honourable Mr.  
 Maqbool Mahmood, Mir.  
 Muhammad Ashraf, Chaudhri.  
 Muhammad Faiyaz Ali Khan,  
 Nawabzada.  
 Muhammad Hasan Khan Gurchani,  
 Khan Bahadur Sardar.  
 Muhammad Hassan, Khan Bahadur  
 Makhdum Sayed.  
 Muhammad Hayat Khan Noon,  
 Nawab Malik Sir.  
 Muhammad Hussain, Chaudhri.  
 Muhammad Saadat Ali Khan, Khan  
 Sahib Khan.  
 Muhammad Shafi Ali Khan, Khan  
 Sahib Chaudhri.  
 Muhammad Yasin Khan, Chaudhri.  
 Mukand Lal Puri, Rai Bahadur Mr.  
 Narendra Nath, Diwan Bahadur  
 Raja.  
 Nasir-ud-Din, Chaudhri.  
 Nasir-ud-Din Shah, Pir.  
 Naunihal Singh Mann, Lieutenant  
 Sardar.  
 Nawazish Ali Shah, Sayed.  
 Nur Ahmad Khan, Khan Sahib  
 Mian.  
 Nurullah, Mian.  
 Pir Muhammad, Khan Sahib Chau-  
 dhri.  
 Rashida Latif Baji, Begum.  
 Riasat Ali, Khan Bahadur Chaud-  
 dhri.  
 Ripudaman Singh, Thakur.  
 Roberts, Professor W.  
 Sahib Dad Khan, Khan Sahib Chau-  
 dhri.

Shahadat Khan, Khan Sahib  
Rai.  
Shah Nawaz Khan, Nawab  
Khan.  
Sham Lal, Rai Bahadur Chaudhri.  
Singha, Mr. S. P.  
Sita Ram, Lala.  
Sultan Mahmood Hotiana, Mian.

Sundar Singh, Majithia, The  
Honourable Dr. Sir.  
Tara Singh, Sardar.  
Tikka Ram, Chaudhri.  
Ujjal Singh, Sardar Sahib Sardar.  
Umar Hayat Khan, Chaudhri.  
Uttam Singh Dugal, Sardar.  
Wali Muhammad Sayyal Hiraj,  
Sardar.

**Sardar Hari Singh** (Kangra and Northern Hoshiarpur, Sikh, Rural) :  
Sir, I beg to move—

4 P.M.

“That the proviso to sub-rule 3 (b) be deleted and in line 5 of sub-rule (3) (b) after the word ‘member’ the following be inserted :—

‘at the Speaker’s discretion’.”

Sir, a very important and a very welcome provision has been made in the draft rules which was not present in the *interim* rules, that is, a debate may be raised in the Assembly on a certain question answered on the floor of the House for a further elucidation of the answer, provided the matter is of sufficient importance.

My amendment, if accepted, would amount to this that it should be in the discretion of the Speaker to allow the House to raise debate on any important matter raised in an answer to any question and it should not be left to the Government to disallow the debate on an important issue involved in certain questions whenever they are raised. We would like the Speaker, who is the only guardian of the interests of minorities and who is also responsible to see that the time of the House should not be wasted on frivolous motions, to see that he will use his discretion for the good of the House and that the time of the House is utilised usefully. So, in my view this amendment, if incorporated in the present rule as it stands, should commend itself to the House. The Speaker should be left with the discretion to allow debates being raised on important matters in which the policy of the Government can be criticised. This will merely facilitate further elucidation of the issues involved and securing of further explanation. So the Government should not be against giving the Speaker the power to allow debate on important matters.

**Mr. Speaker :** Rule under consideration, amendment moved is—

That the proviso to sub-rule 3 (b) be deleted and the following words be added after the word “member” in line 5 of sub-rule (3) (b) :—

“at the Speaker’s discretion.”

**Minister for Finance (The Honourable Mr. Manohar Lal) :** Sir, I rise to oppose this amendment. The House has just expressed its opinion on this proviso. The proviso contains a sound doctrine. Efforts were made to reduce the strength of members required to support a particular matter, if such a debate or discussion on a question is to take place. The House refused to accept fifty as adequate support. The House refused to accept thirty as adequate support. I take it in those circumstances the House has virtually expressed its opinion that the proviso as it

[Finance Minister.]

is should stand. That being so, if the proviso were to stand, there is no meaning whatsoever in the other amendment where it is said that it is not the House that has to say or to indicate its wish whether a particular discussion should take place or not but the Speaker might do it. No one questions the general importance of the Speaker's discretion. But I think I am voicing, correctly voicing, the sentiments of the other side of the House if I were to say that the opinion of this House—I speak with all respect—is even more paramount than the opinion of the Speaker. Having to all intents and purposes adopted the proviso, accepted the proviso, adopted the position that the proviso is the right thing as it stands, it is wholly erroneous on our part to say that we should now delete the proviso and leave the whole thing to the discretion of the Speaker.

**Mr. Speaker :** Does the honourable member insist upon the amendment? (Voices : Yes).

**Mr. Speaker :** The question is—

That the proviso to sub-rule (3) (b) be deleted and in line 5 of sub-rule (3) (b) after the word "member" the following be inserted :—

"at the Speaker's discretion."

*The motion was lost.*

**Mr. Speaker :** The question is—

That Rule 12 as amended be adopted.

*The motion was carried.*

### Rule 13.

**Mir Maqbool Mahmood :** I beg to propose—

That in lines 1 and 2 of rule 13 for the words "business of private members" the words "business other than Government business" be substituted.

*The motion was carried.*

**Sardar Hari Singh** (Kangra and Northern Hoshiarpur, Sikh, Rural) :  
I beg to move—

That at the end the following proviso be added :—

"Provided further that no less than twenty-five sittings shall be devoted to business of private members."

I have already stated my position very clearly. I will only re-state a few points. In the first place, provision as to twenty-five sittings a year for business of private members has been made in the United Provinces Legislature. I need not again dilate upon the necessity of private initiative and enterprise. In the North-West Frontier Province although the number of sittings has not been mentioned, provision has been made that one-fourth of the sittings at least must be devoted to business of private members. I have not been able to study statistics for the past few years as regards House of Commons but have studied statistics for the years 1900 to 1920. Although I am not at present in possession of figures with regard to that House, I can say that there private members' business or business other than Government business gets almost one fourth of the time of the House. So, if a provision is made in the Rules to this effect, then I think private initiative and enterprise shall have full scope on the floor of this House.

**Mr. Speaker :** Rule under consideration, amendment moved—

That at the end the following proviso be added :—

“Provided further that no less than twenty-five sittings shall be devoted to business of private members.”

**Raja Ghazanfar Ali Khan** (Parliamentary Secretary): I rise to oppose this amendment. As the honourable members might have observed, by framing the Rules, one day out of every four days has been set apart already for non-official business. The Assembly is supposed to meet every week for four days and every Thursday has been set apart for non-official business. I do not know how my honourable friend has arrived at a figure of twenty-five. I personally think that the best thing would always be to insist upon a certain portion of the working days being earmarked for non-official business. Supposing the Assembly were to sit for 125 days, then if only 25 days are fixed for such business, that would mean that we shall have got less than one-fourth. But supposing the Assembly were to meet for 80, 50 or 60 days, then I am sure the honourable member will agree with me that to set apart 25 days and to pin down the Assembly to one particular figure would be wrong. I think there are several businesses to be done by the Government and the Government has given proof of the good intention by providing every facility to the non-official members to bring forward non-official business by fixing one day in every week for them. I hope the House will agree with me that the time given by the Government is by no means unreasonable and they will unanimously reject this amendment.

**Sardar Hari Singh :** May I clear certain misapprehensions from which the honourable member opposite is suffering?

**Raja Ghazanfar Ali Khan :** I am sorry. You mean at least twenty-five days. (*Interruption*).

**Rai Bahadur Mr. Mukand Lal Puri :** May I ask the honourable member who moved the amendment whether in the neighbouring Congress province, i.e. in the North-West Frontier Province, they have allotted 25 per cent. of the number of days to private business?

**Sardar Hari Singh :** Also in the United Provinces. It has been decided by the United Provinces that 25 per cent. of the number of days shall be allotted to private business.

**Rai Bahadur Mr. Mukand Lal Puri :** What has been decided in the North-West Frontier Province?

**Raja Ghazanfar Ali Khan :** May I inform the honourable member that as far as I know no Assembly has passed any rules. When my friend speaks about the Frontier Province he probably refers to *interim* rules because no final rules have yet been adopted by the Assembly there.

**Sardar Hari Singh :** When I referred to the rules of the different provinces, I meant the rules framed by the rules committees. The United Provinces rules committee decided that 25 sittings a year should be devoted to the business of private members.

**Mir Maqbool Mahmood :** Is the honourable member right in referring to a decision of the United Provinces committee which has not even reported?

**Mian Abdul Aziz** (Outer Lahore, Muhammadan, Urban): As a matter of fact the difficulty is about the proviso which has been made under this rule. Undoubtedly as one of the honourable members, Raja Sahib, has already stated that out of four days one day has been allotted for private business or for non-Government business. The difficulty comes in, supposing if the session is only for two weeks which means there are only two days allotted for private business. In the first week the honourable Premier says that to-morrow viz., on Thursday, Government business will be taken up. One day is gone. Again, for next Thursday the same announcement is made. Thus the difficulty would be that during that session only two days which are allotted for private business will have gone. We want to safeguard that in case of necessity if the Government business is such which ought to be transacted on another day in place of that day some other day should be given and it should be understood that at least one day in a week is allotted for private business. If the proviso is not to be deleted then it should be made clear that in place of Thursday which is taken up for Government business some other day should be allotted for private business. I would submit that after all private business is not personal business of any of the members. That is the business of the public and all the business of the public means as a matter of fact or practically Government business. It may be considered that Government has no right to usurp days which are allotted for private business. I would therefore humbly suggest that either the proviso should be deleted or that at least in each session 25 per cent. of the time should be allotted for private business.

**Minister for Revenue (The Honourable Dr. Sir Sundar Singh, Majithia)** : Sir, the proposition of my friend means that a share of 25 per cent. for private business must be fixed once for all and that it should not be trenched upon by anybody in this House. The rule hitherto has been that Government business must have precedence over private business, and if the Government of the country is to be carried on, that rule should not be allowed to be abrogated in any way. Government has hitherto tried to meet our friends on the Opposition benches by giving them every facility that is possible at least to provide them with one-fourth of the time of the House. We have done that and it has been the practice in the past ; it should be the practice in future, and if I may be permitted to say so even in the House of Commons the practice is the same that Government business takes precedence over private business. Under the circumstances ordinarily 25 per cent. will be the quota for private business. But possibility may arise when Government business may be very urgent and the work of the administration will come to a standstill if we stick rigidly to the proposal of my friend. This House should not permit that sort of thing. I would, therefore, very strongly urge that the proposition of my friend should not be accepted by the House.

**Sardar Sampuran Singh** (Lyallpur West, Sikh, Rural) : Sir, I endorse the spirit of the speech of the Honourable the Leader of the House but I beg to differ as to how he draws his inference that the amendment moved would in any way interfere with the work of the Government by taking away precedence of Government work. So far as the general principles are concerned that practice is correct ; but the question remains if the Government is pleased to take away Thursday from the private business there will be

practically nothing left for the other members of the House. No time will be left for them. So the proposal as put by the Mian Sahib is very sound : not only sound but is absolutely necessary in a province where the official influence still carries very great weight. (*Revenue Minister: Question*), because in a session like the one we are having now, a session of say two weeks, if the Government work really becomes more urgent or by some dilatory methods it takes more time and Government work is carried on even on Thursday, under such circumstances if there is something definite in the rules that private members will have at least 25 per cent. of the time of the Assembly I think that will be a very salutary thing. In case Government does not agree to the proposal then we should stick to the original proposal in the form in which it is amended by Sardar Hari Singh.

**Mir Maqbool Mahmood** (Parliamentary Secretary): Mr. Speaker, there appears to be some misunderstanding with regard to the intention and spirit of this rule. As a member of the Rule Drafting Committee, I, with your permission, solicit the indulgence of the House to clear the position. The proviso does not say that on the motion by a minister the day allotted for non-official business will cease to be a day for non-official business. The proviso is taken *verbatim* from the procedure of the House of Commons. If honourable members will refer to the proceedings of the House of Commons, they will find that this proviso has been used only in cases of emergency. As in the case of the last War when immediate Government measures had to be considered this proviso was made use of ; otherwise it would have been impossible even under those emergent conditions to give immediate consideration to important Government measures. It is for such situations, that *with the permission of the House* the right is reserved for the Government to move important Government matters even on a Thursday. It is with that intention that this proviso has been added. I can assure the honourable members opposite that we on this side are as keen as they are that legitimate opportunities for non-official business should be provided. They may be sure that if in any emergency it is necessary for us to ask for any official business to be taken up for the greater portion of a Thursday, we will be as keen as they are to solicit the indulgence of the Leader of the House to give us other opportunities to discuss non-official business which may thereby be elbowed out. The House will remember the Honourable Premier speaking in Simla session made it clear that he is prepared to establish a convention that if the Leader of the Opposition wishes to have an opportunity of discussing an important matter of policy he will try to accommodate him even out of the time reserved for Government business. This rule is not intended to take away the whole of the non-official day for the Government business. It is only an enabling clause to meet special cases.

**Mian Abdul Aziz** : Sir, may I with your permission make one or two observations ?

**Mr. Speaker**: I cannot allow the honourable member to make a second speech.

**Minister for Finance (The Honourable Mr. Manohar Lal)** : There is no real difference between the position taken up by the mover of the amendment and the Government in this matter. Government has in this

[Finance Minister.]

rule laid that one day out of the four in a week should be set aside for non-official business. The proviso is only an enabling proviso where an emergency may arise, and a minister has to move that Government business may be transacted on a Thursday. It is not suggested that the whole of that day will be absorbed for that purpose, but only emergent Government business will be transacted. Now, it is suggested that a further proviso should be adopted. I think that would introduce a rigid rule which might have the effect of crowding out Government business. The mover of the amendment has made a large historical excursion. He should, however, know that recent years in the House of Commons have been marked by increasing Government business, because among other reasons Government as popular Government, itself stands so identified with what the people would wish undertaken. He has not examined at all the other patent fact that Government business everywhere has been increasing in intensity and volume during recent years. He referred to the position, up to 1920, and ignored the lessons of recent history. Now, Sir, can we fairly ask this House in connection with the rule which carries out our previous practice which allows to private members all the time that they could possibly desire without making the rule unnecessarily rigid, can we ask seriously this House to make this amendment on the basis of these facts? It has been said that certain other Assemblies in India have adopted or are on the point of adopting amendments in the direction that the mover of the amendment suggests. I have not come across that anywhere. I was also associated with the framing of these rules, though not with this particular rule because I came on the Committee at a much later stage. In other provinces the committees that were appointed to consider these rules have not even reported yet except, I think I am right, only in two provinces. I am glad to point out that an identical rule as has been suggested here, exists in the Madras Assembly. The proviso runs like this :—

Provided that on a motion made by a member of Government for the suspension of this rule, the Assembly may resolve to transact Government business on Wednesdays other than Wednesdays during the period of the discussion of the budget.

We have a similar proviso elsewhere. We must work this proviso in a reasonable spirit. We must be very careful before we adopt an amendment the effect of which may be the suspension of emergent Government business. We must not be so rigid as to suggest that we should fix a particular number of days in order to carry out 25 per cent. of non-official business. After all, the members of the Government, the ministers, as has been repeatedly pointed out, are representatives of the people sitting as members responsible to this House. Therefore, I say, that no case exists either in precedent or in principle (the main principle is to achieve the business of the House expeditiously) to adopt this amendment. We must oppose this amendment strongly. We are all against this effort of binding us rigidly to a particular course of action.

**Lala Deshbandhu Gupta:** May I know whether Honourable Minister's reference to Madras rules relates to the rules of the previous Government?

**Minister for Finance:** These are the *interim* rules which the present Government has framed. They are not the same as those of the previous Government.

**Pandit Muni Lal Kalia** (Ludhiana and Ferozepore, General, Rural) : The arguments advanced by the honourable members opposite in favour of the point that there should be no rigid rule for depriving their choice to get their business transacted on a Thursday are not at all convincing. The proposition is quite simple. If the Treasury benches are of the opinion that there is more Government work to be done, in that case His Excellency the Governor can be approached to extend the session. It does not appear at all reasonable that 25 per cent. of days that is now being proposed by the amendment for the work of non-official character should be sacrificed and curtailed and no opportunity should be given to the popular side of the House. (*Voice from the Treasury benches : We are the popular side.*) It is a question to be decided by the public outside.

Now, Sir, in view of the past history of this 25 per cent. of days during the last two sessions when even important Bills and resolutions moved by non-Government members on this side have not been allowed to be discussed, it is not unnatural that apprehensions of this kind should exist in the minds of members on these benches. Therefore, the amendment now proposed is against the effect of the proviso.

But so long as there is this proviso and there is the tendency for the Government to usurp the day left for non-Government business, there is no other protection for carrying on the work which is going to be proposed from this side of the House. In these words I support this amendment because in case there is no such amendment there is no other provision in these rules by which we can carry out the Bills and the resolutions which are brought forward from time to time in accordance with the wishes of the people.

**Sardar Hari Singh** (Kangra and Northern Hoshiarpur, Sikh, Rural) : Mr. Speaker, the suggestion of Mian Abdul Aziz has appealed to me very strongly and if you allow me to incorporate the words in my amendment things will become very simple and it will be very difficult for Government logically to oppose it. The speech of Mir Maqbool Mahmood has also appealed to me very strongly. If the position as stated by him is carried to its logical conclusion, I think there is no difference between this side of the House and the other side. He has stated that he was on the Rules Committee and that he is in a position to state the intention of the framers of the rule. He has put it that it was the intention of the Rules Committee that not only one-fourth of the sittings of the session should be devoted to the business of private members, but that Thursday is to be devoted to Government business only in case of an emergency. There is, however, a fear in our minds that that emergency may become a normal affair. It is Government's duty to knock the bottom out of our fear.

Then he has stated that one-fourth of the sittings should be devoted to business of private members. That, he said, is the spirit of the rules. What I suggest is that if Thursday is taken up by Government business in case of emergency, then some other day should be provided for the business of private members. If a provision like that is made, then it will remove all our fears. If 25 per cent. of the sittings of the session are devoted to the business of private members, provided the position stated by Mir Maqbool Mahmood is the position of Government, then there is no difference between us and the other side of the House.

**Mr. Speaker :** The question is—

That the following proviso be added at the end :—

‘Provided further that no less than twenty-five sittings shall be devoted to business of private members.’

*The Assembly divided : Ayes 36, Noes 71.*

**AYES 36.**

Abdul Aziz, Mian.  
Ajit Singh, Sardar.  
Barkat Ali, Malik.  
Bhagat Ram, Choda, Lala.  
Bhagat Ram Sharma, Pandit.  
Bhim Sen Sachar, Lala.  
Chanan Singh, Sardar.  
Deshbandhu Gupta, Lala.  
Duni Chand, Lala.  
Ghulam Hussain, Khawaja.  
Gopi Chand Bhargava, Dr.  
Hari Lal, Munshi.  
Hari Singh, Sardar.  
Harjab Singh, Sardar.  
Kabul Singh, Master.  
Kapoor Singh, Sardar.  
Kartar Singh, Sardar.  
Kishan Singh, Sardar.  
Lal Singh, Sardar.

Muhammad Abdul Rahman Khan,  
Chaudhri.  
Muhammad Alam, Dr. Shaikh.  
Muhammad Hassan, Chaudhri.  
Muhammad Iftikhar-ud-Din, Mian.  
Mula Singh, Sardar.  
Muni Lal Kalia, Pandit.  
Partab Singh, Sardar.  
Prem Singh, Mahant.  
Raghubir Kaur, Shrimati.  
Ram Narain Virmani, Seth.  
Rur Singh, Sardar.  
Sahib Dad Khan, Khan Sahib  
Chaudhri.  
Sampuran Singh, Sardar.  
Sant Ram Seth, Dr.  
Shri Ram Sharma, Pandit.  
Sohan Singh Josh, Sardar.  
Sudarshan, Lala.

**NOES 71.**

Abdul Hamid Khan, Sufi.  
Abdul Haye, The Honourable Mian.  
Abdul Rahim, Chaudhri (Gurdaspur).  
Abdul Rahim, Chaudhri (Gurgaon).  
Afzaalali Hasnie, Sayed.  
Ahmad Yar Khan, Daulatana,  
Khan Bahadur Mian.  
Ahmad Yar Khan, Chaudhri.  
Akbar Ali, Pir.  
Ali Akbar, Chaudhri.  
Amjad Ali Shah, Sayed.  
Anant Ram, Chaudhri.  
Badar-Mohy-ud-Din Qadri, Mian.  
Balwant Singh, Sardar.  
Bhagwant Singh, Rai.  
Binda Saran, Rai Bahadur.  
Chhotu Ram, The Honourable Chaudhri Sir.  
Dasaundha Singh, Sardar.  
Faiz Muhammad, Shaikh.  
Fateh Muhammad, Mian.

Fazl Ali, Khan Bahadur Nawab  
Chaudhri.  
Ghazanfar Ali Khan, Raja.  
Ghulam Rasul, Chaudhri.  
Ghulam Samad, Khawaja.  
Girdhari Das, Mahant.  
Gopal Das, Rai Sahib Lala.  
Gopal Singh (American), Sardar.  
Gurbachan Singh, Sardar Sahib  
Sardar.  
Hans Raj, Bhagat.  
Jahan Ara Shah Nawaz, Mrs.  
Jahangir Khan, Chaudhri.  
Jalal-ud-Din Amber, Chaudhri.  
Jogindar Singh, Man, Sardar.  
Karamat Ali, Shaikh.  
Khizar Hayat Khan Tiwana, The  
Honourable Nawabzada Major.  
Manohar Lal, The Honourable Mr.  
Maqbool Mahmood, Mir.  
Muhammad Akram Khan, Khan  
Bahadur Raja.

Muhammad Ashraf, Chaudhri.  
 Muhammad Faiyaz Ali Khan,  
 Nawabzada.  
 Muhammad Hassan Khan Gurcha-  
 chani, Khan Bahadur Sardar.  
 Muhammad Hussain, Chaudhri.  
 Muhammad Jamal Khan Leghari,  
 Nawab Sir.  
 Muhammad Saadat Ali Khan, Khan  
 Sahib Khan.  
 Muhammad Shafi Ali Khan, Khan  
 Sahib Chaudhri.  
 Muhammad Yasin Khan, Chaudhri.  
 Muhammad Yusaf Khan, Khan.  
 Mukand Lal Puri, Rai Bahadur Mr.  
 Muzaffar Ali Khan Qizilbash, Sar-  
 dar.  
 Narendra Nath, Diwan Bahadur  
 Raja.  
 Nasir-ud-Din, Chaudhri.  
 Nasir-ud-Din Shah, Pir.  
 Naunihal Singh Mann, Lieutenant  
 Sardar.

Nawazish Ali Shah, Sayed.  
 Nur Ahmad Khan, Khan Sahib  
 Mian.  
 Pir Muhammad, Khan Sahib Chau-  
 dhri.  
 Ram Sarup, Chaudhri.  
 Ranpat, Chaudhri.  
 Ripudaman Singh, Thakur.  
 Roberts, Professor W.  
 Shahadat Khan, Khan Sahib Rai.  
 Shah Nawaz Khan, Nawab Khan.  
 Sham Lal, Rai Bahadur Chaudhri.  
 Singha, Mr. S. P.  
 Sita Ram, Lala.  
 Sumer Singh, Chaudhri.  
 Sundar Singh Majithia, The Honour-  
 able Dr. Sir.  
 Suraj Mal, Chaudhri.  
 Tara Singh, Sardar.  
 Tikka Ram, Chaudhri.  
 Ujjal Singh, Sardar Sahib Sardar.  
 Umar Hayat Khan, Chaudhri.

**Mr. Speaker :** The question is—

That rule 13 as amended be adopted.

*The motion was carried.*

*The Assembly then adjourned till 11 A.M., on Tuesday, 11th January, 1938.*

The first part of the paper is devoted to the study of the

properties of the function  $f(x)$  defined by

$$f(x) = \sum_{n=0}^{\infty} \frac{a_n}{n!} x^n$$

where  $a_n$  is a sequence of real numbers. We shall assume that

$$a_n \geq 0 \quad \text{for all } n \geq 0$$

and that the series converges for all  $x$ . We shall also assume that

$$f(0) = 1$$

and that  $f(x)$  is not identically equal to 1. We shall then prove that

$$f(x) > 0 \quad \text{for all } x \geq 0$$

and that  $f(x)$  is strictly increasing for  $x > 0$ . We shall also prove that

$$f(x) \leq e^x \quad \text{for all } x \geq 0$$

and that  $f(x)$  is strictly concave for  $x > 0$ . We shall then prove that

$$f(x) \geq 1 + x \quad \text{for all } x \geq 0$$

and that  $f(x)$  is strictly convex for  $x > 0$ . We shall then prove that

$$f(x) \leq e^{x/2} \quad \text{for all } x \geq 0$$

and that  $f(x)$  is strictly concave for  $x > 0$ . We shall then prove that

$$f(x) \geq 1 + x/2 \quad \text{for all } x \geq 0$$

and that  $f(x)$  is strictly convex for  $x > 0$ . We shall then prove that

$$f(x) \leq e^{x/3} \quad \text{for all } x \geq 0$$

and that  $f(x)$  is strictly concave for  $x > 0$ . We shall then prove that

$$f(x) \geq 1 + x/3 \quad \text{for all } x \geq 0$$

# PUNJAB LEGISLATIVE ASSEMBLY.

1ST SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Tuesday, 11th January, 1938.

*The Assembly met at the Council Chamber at 11 A. M. of the clock. Mr. Speaker in the chair.*

## STARRED QUESTIONS AND ANSWERS.

ASSISTANT PROFESSOR, PUNJAB VETERINARY COLLEGE.

**\*797. Chaudhri Muhammad Husain :** Will the Honourable Minister for Development be pleased to state—

- (a) whether it is a fact that there are four posts of assistants to professors in the Punjab Veterinary College, Lahore, and that hitherto two out of these four posts have always been held by Muslims ;
- (b) whether it is also a fact that present incumbents of the three posts are holding them temporarily ;
- (c) whether it is intended to fill up these posts permanently in the near future ;
- (d) if answers to (a), (b) and (c) above be in the affirmative, whether it is intended to reserve two of these posts for the Muslim community as its share ?

**The Honourable Chaudhri Sir Chhotu Ram :** (a) Yes. It so happens that two of the posts, though not always the same two, have been held by Muslims.

(b) Yes.

(c) Yes.

(d) While, subject to considerations of efficiency, every reasonable effort is, and will continue to be, made to secure for each class and community its fair share of employment in each important cadre of the Veterinary Department as a whole, it is neither practicable nor desirable to reserve for any class or community any particular posts or any specific proportion of a very small group of posts to be filled on a particular occasion.

## DAMAGE TO CROPS.

**\*798. Chaudhri Kartar Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the extent of damage done to the crops in the province as a whole ;
- (b) whether it is a fact that in the *barani* districts, harvests have totally failed ;

[Ch. Kartar Singh.]

(c) if the answers to parts (a) and (b) above be in the affirmative, the steps the Government has taken to relieve the cultivators?

**The Honourable Dr. Sir Sundar Singh Majithia:** (a) The *barani* crops particularly in the districts of Hissar, Rohtak, Gurgaon, Gujrat and Mianwali, have suffered severe damage due to the scarcity of rain. The irrigated crops have on the whole been satisfactory except in the districts of Gujrat, Shahpur, Lyallpur and Multan, where the cotton crop has been adversely affected by drought and at some places by *tela*. The crops in the Jullundur and Lahore divisions have not suffered any exceptional damage.

(b) No.

(c) Suspensions of *taqavi*, and suspensions [and remissions of land revenue are being granted. *Taqavi* loans are being advanced liberally and concession rates for the import of fodder have been sanctioned where necessary.

**Chaudhri Kartar Singh:** At what rate is land revenue remitted?

**Minister:** I think it is different in different districts.

#### COTTON CROP.

**\*799. Chaudhri Kartar Singh:** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that most of the cotton crop in the province has suffered from *tela*;

(b) if the answer to (a) above be in the affirmative, the steps the Government has taken to remove *tela* to give relief to the zamindars so affected?

**The Honourable Dr. Sir Sundar Singh Majithia:** (a) Some damage is reported to have been caused by *tela* to the cotton crop in parts of the province.

(b) *Tela* can be removed only by spraying, which requires the use of machines. The Government advised cultivators to spray their cotton, and such machines as the Government possessed were made available with the necessary staff. A fair area was sprayed. The pest practically disappeared with the rains in September.

**Lala Bhim Sen Sachar:** Can the Honourable Minister give an idea of percentage of remissions to be given in respect of spoiled crops?

**Minister:** It is very difficult to give the exact figure.

**Lala Bhim Sen Sachar:** Is it half or 25 per cent. or what?

**Minister:** I cannot give that information without having due notice.

**Chaudhri Kartar Singh (Urdu):** What steps have been taken by Government to remove *tela*? Will the Honourable Minister be pleased to state if the Government are aware of the fact that in a meeting of the officers of the Department of Agriculture, the Deputy Commissioner, Montgomery, demanded Rs. 2-8-0 per acre as costs?

**Minister :** Does it concern this question.

**Khawaja Ghulam Husain :** Is any remission granted or contemplated ?

**Minister :** I think if there is any damage, it will be considered and necessary steps will be taken.

**Khawaja Ghulam Husain :** Has the matter been considered so far or is any remission contemplated ?

**Minister :** When the information regarding damage will be received it will be considered.

**Chaudhri Kartar Singh :** Will the Honourable Minister be pleased to ask the officers of the Department of Agriculture to explain why they have not so far taken steps to remove *tela* ?

**Minister :** I am afraid that does not concern my department.

SARDAR RATAN SINGH, BABAR AKALI.

**\*800. Chaudhri Kartar Singh :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that a few years back S. Ratan Singh, Babar Akali, was shot down by the military and police authorities in village Rurki-khas, tahsil Garbhshankar, district Hoshiarpur ;
- (b) whether it is a fact that the only son of the lambardar of village Rurki-khas fell victim to S. Ratan Singh, while attempting to enter his house by a hole through the roof ;
- (c) the number of houses burnt in the attempt to arrest the said S. Ratan Singh, Babar Akali, and whether any compensation was paid to the owners of those houses ;
- (d) whether it is a fact that the pension of all the retired military soldiers and officers of village Rurki-khas have been forfeited by the Government ;
- (e) the rewards that were given to various officers in the above cases stating grounds for the grant of each reward ?

**Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) :**

(a) Ratan Singh, an escaped convict, was shot by a party of police in the village named on the 15th July, 1932, while resisting arrest. Before he was killed Ratan Singh had shot and killed one head constable, two constables and one non-official, in addition to others wounded.

(b) Yes.

(c) Six buildings, mostly sheds used for the storage of fuel and fodder, were damaged by fire. No compensation was paid to the owners, all of whom are believed to have been interested in harbouring the outlaw and protecting him from arrest.

(d) The pensions of eight ex-soldiers were forfeited, permanently or for a term, for harbouring or assisting the absconder. In addition three ex-soldiers of the reserve were discharged therefrom. It is not correct that action was taken against all the ex-soldiers in the village.

[Parliamentary Secretary.]

(e) A paper is laid on the table summarising the rewards granted by or under the orders of Government. All the officials included in the list were present at the time when the convict was rounded up and were themselves exposed to great risks.

**Chaudhri Kartar Singh :** Is the Government aware of the fact that the person shot down by S. Ratan Singh was the only son of the lambardar? If so, what compensation has been paid to the lambardar?

**Parliamentary Secretary :** I require notice for that question.

**Chaudhri Kartar Singh :** Notice has already been given.

**Mr. Speaker :** The honourable member has not given notice for asking whether the Government is prepared to give compensation or not.

**Chaudhri Kartar Singh :** My question amounts to that. Why was compensation not given to the lambardar for the death of his only son in the attempt to arrest S. Ratan Singh?

**Sardar Sampuran Singh :** Were those persons, whose property was burnt, prosecuted for harbouring the criminal?

**Parliamentary Secretary :** I require notice for that question.

**Chaudhri Kartar Singh :** Is Government aware that S. Ratan Singh was concealing himself in one particular house, whereas some other houses were also burnt along with it? If so, who is responsible for the damage done to the said houses?

**Parliamentary Secretary :** Government have no information and if it is so, the matter will be looked into.

**Sardar Partab Singh :** How many houses were burnt in order to arrest S. Ratan Singh?

**Parliamentary Secretary :** I have already stated, six buildings.

**Sardar Partab Singh :** What is the value of those burnt buildings?

**Parliamentary Secretary :** The Government have not made an estimate of the loss. I have already mentioned that they were small minor *kacha* sheds.

**Sardar Partab Singh :** Have further steps been taken in order to compensate those persons whose houses were burnt?

*1. List of officials granted rewards.*

Inspectors of Police	..	..	..	..	2
Sub-Inspectors of Police	..	..	..	..	13
Assistant Sub-Inspectors of Police	..	..	..	..	3
Head Constables	..	..	..	..	9 (includes 1 Daffadar).
Foot Constables	..	..	..	..	72
Tahsildars	..	..	..	..	2
Jail Superintendent	..	..	..	..	1
Tahsil Chaprasi	..	..	..	..	1
Qanungo	..	..	..	..	1
Total number of officials granted rewards					104

*Nature of the rewards granted to officials.*

Sixteen officials were granted commendation certificates, and three letters of thanks. Three received the Indian Police Medal. The remainder were granted cash rewards, the total of these being Rs. 1,075.

*II. Rewards granted to the families of the three police officers killed by Ratan Singh.**1. Rewards to the family of the Head Constable—*

- (a) Rs. 500 in cash paid to the widow.
- (b) Rs. 500 granted as gratuity to the daughter for her marriage.
- (c) An extraordinary pension of Rs. 6 per month granted to each of the two sons till they attained the age of 18 years.
- (d) An extraordinary pension of Rs. 5 per month granted for the maintenance of the widow, father and mother.

*2. Rewards to the family of the first Constable—*

- (a) Rs. 500 in cash paid to the widow.
- (b) Rs. 250 granted as gratuity to the daughter for her marriage.
- (c) An extraordinary pension of Rs. 5 per month granted to each of the two sons for 12 years.
- (d) An extraordinary pension of Rs. 5 per month granted to the widow till death or remarriage, and subsequently at the reduced rate of Rs. 3 per month to the father for life.

*3. Rewards to the family of the second Constable—*

- (a) Rs. 500 in cash paid to the widowed mother.
- (b) An extraordinary pension of Rs. 5 per month granted to the widowed mother for life.

III. The widow of the non-official killed by Ratan Singh was granted a sum of Rs. 500. In addition, cash rewards and commendation certificates were given to a number of non-officials who had assisted in the operations.

**GRASS CUTTING IN THE KATARDHAR.**

**\*801. Chaudhri Kartar Singh:** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that in spite of section 4 of the Katardhar Act certain zamindars in villages of tahsil Garhshankar are not allowed to cut grass ;
- (b) whether it is a fact that the inhabitants of these villages applied to the Deputy Commissioner, Hoshiarpur, for permission to cut grass but their application was rejected ; if so, reasons for the same ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) No.

(b) Does not arise. It may, however, be stated for the information of the honourable member that an application was made by a few inhabitants of certain villages to the Deputy Commissioner, protesting against closure under section 5 of the Chos Act, but as the notification had been applied at the request of the majority of the villagers, their application was filed.

## BHAKRA DAM PROJECT.

**\*802. Chaudhri Kartar Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) when the Government contemplates to take up the Bhakra Dam Project ;
- (b) whether it is a fact that this project was to be taken up before the Haveli Project ;
- (c) whether it is a fact that in the *darbar* held at Rohtak just after the Great War, the then Lieutenant-Governor of the Punjab publicly declared that as a reward for the military services of that district the Government would construct the Bhakra Dam Project ;
- (d) if the answer to (c) above be in the affirmative, whether the Government is prepared to abide by that public declaration ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Owing to some difficulties in settling matters with the Bilaspur State and consequent unavoidable delay in the construction of the Bhakra Dam scheme in its final approved form, Government is considering alternative schemes in the hope that such alternatives would probably prove more feasible for promoting the interests of the people in the Eastern districts of the Punjab. Matters will receive due and prompt consideration when these schemes are ready.

(b) No.

(c) The construction of the Bhakra Dam was not as a reward for the military services of those who enlisted from Rohtak but was a measure intended for the good of the people of the Ambala division. However, at a Darbar at Rohtak on 21st January, 1919, His Honour the then Lieutenant-Governor stated that 178,000 acres on the Lower Bari Doab canal was to be allotted by His Excellency the Commander-in-Chief to the most deserving of our soldiers and when our canal engineers brought to fruition the great Sutlej Dam Project the claims of Rohtak would not be forgotten. From the context it seems that the Project referred to was the Sutlej Valley Canals Project which was about to start in 1919 and which has since been completed.

(d) As stated in (a) above, Government is exploring all possible alternatives to do the needful in the service of the Eastern districts of the Punjab, in bringing to fruition schemes intended to provide facilities for better irrigation of these tracts.

**Lala Duni Chand :** Will the Honourable Minister for Revenue be pleased to state as to when this project was initiated and for how many years it has been under consideration ?

**Minister :** So far as I recollect it was initiated when I was Revenue Member. I remember to have taken some steps in connection with the project then.

**Lala Duni Chand :** For how many years has it been under consideration

**Sardar Kapoor Singh :** Have steps been taken during the last eight or nine months to secure water rights from Bilaspur Durbar ?

**Mr. Speaker :** The question relates to an Indian State.

**Pandit Shri Ram Sharma :** What has the Government done so far in respect of Bhakra Dam Scheme ?

**Minister :** We have started looking into the matter. As regards the question whether we can sink more tubewells and whether we can increase supply of canal water in the existing canals from where water could be taken to this place, I would say that all steps in this connection have been taken. I may inform the honourable member that I am still negotiating regarding the consent of the Bilaspur Durbar.

**Lala Duni Chand :** For how many years will the process of looking into go on ?

**Minister :** As long as the matter is not settled.

**Khawaja Ghulam Samad :** Are there any reasonable grounds for delaying the scheme for so many years ?

**Dr. Gopi Chand Bhargava :** Will the scheme be finished during this term of five years of the present ministry, that is to say, when these ministers are in office ?

**Minister :** I am not a prophet. (*Laughter*).

**Khawaja Ghulam Samad :** Are there any reasonable grounds for delaying the scheme ?

**Minister :** It is not a question of delaying the scheme. It is a question of trying to find out how it can best be carried out.

**Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister for Revenue please state if the rights of the zamindars of Ludhiana District, Jullundur Division are not going to be barred from the benefit of this project ?

**Minister :** As regards this question I can only say that if the Ludhiana people could also be benefited from this scheme, then they would not be barred. (*Hear, hear*).

**Chaudhri Kartar Singh :** Will the Honourable Minister for Revenue please state whether the Government has taken any special steps in the matter since 1st April ?

**Pandit Shri Ram Sharma :** For how long has the Government been corresponding with the Raja of Bilaspur ?

**Mr. Speaker :** The next question.

#### PANCHOTRA IN RESPECT OF NILI BAR COLONY.

**\*803. Malik Fateh Sher Khan :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that no *panchotra* is paid to the *lambardars* for collecting land revenue and *malkana* charged on area under temporary cultivation in the Nili Bar colony situated on the Lower Bari Doab canal in the Montgomery district ; if so, the reasons for the same ?

**The Honourable Dr. Sir Sundar Singh Majithia :** The question is not clear. Government is not aware of any area in the Nili Bar Colony which is situated on the Lower Bari Doab Canal.

## OVER FLOODING OF SAKKI NULLAH.

**\*804. Khan Sahib Chaudhri Fazal Din :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether he is aware of the fact that a *nullah* named Sakki passes through tahsil Ajnala and it is sometimes used as an escape-channel by the Irrigation Department ;
- (b) whether he is aware of the fact that most of the *rabi* crops were destroyed by its overflowing in the winter season and the zamindars submitted representations to the Deputy Commissioner, Amritsar, and the Executive Engineer, Jajja Canal Division, stating therein that their crops had been destroyed by the above-mentioned over flow ;
- (c) if the answer to (b) above be in the affirmative, whether any compensation was granted to them in the form of cash or revenue remissions ; if so, how much ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) and (c) The matter being the subject of a notice of suit against the Government, it is not in the public interest to reply to these parts of the question.

## BRIDGES ACROSS SAKKI NULLAH.

**\*805. Khan Sahib Chaudhri Fazal Din :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that there is no other bridge for traffic on the Sakki nullah in Ajnala tahsil except the one that is built across it near Ajnala ;
- (b) if the answer to (a) above be in the affirmative, what steps the Government proposes to take to construct bridges at proper places ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) Yes.

(b) The nullah flows only seasonally and therefore Napal and Saurian are the only two proper places where the construction of crossings is considered of some importance. The construction of Napal bridge is already contemplated by the District Board, Amritsar, and that at Saurian will be considered when funds are forthcoming.

## AJNALA-KOTHI BHINDIAN ROAD.

**\*806. Khan Sahib Chaudhri Fazal Din :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that a road has been built from Ajnala to Kothi Bhindian in district Amritsar ;
- (b) if the answer to (a) above be in the affirmative, whether any compensation was given to the zamindars concerned for the land on which the District Board bungalow was constructed ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) A road from Ajnala to Rest House Bhindian (Bhindi Sayyadan) is under construction.

(b) Yes, Rs. 52-5-0.

#### BRIDGE ON AJNALA-KOTHI BHINDIAN ROAD.

**\*807. Khan Sahib Chaudhri Fazal Din :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that a bridge was constructed by the district board across a torrent on the Ajnala-Kothi Bhindian road and that this bridge was demolished by the orders of the Deputy Commissioner at the time of his visit on the ground that it was not well built and was not wide enough to allow sufficient quantity of water to flow under it ;
- (b) if the answer to (a) above be in the affirmative, the action, if any, taken against the District Engineer ;
- (c) whether the Government intends to construct a better bridge there ; if so, when ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) The bridge had not been completely built when it was damaged by flood. What remained was demolished under the orders of the Deputy Commissioner on the grounds given ;

(b) The term of agreement of the District Engineer finishes in March, 1938. Deputy Commissioner, as Chairman of the District Board, has recommended to the Board that the District Engineer's services be terminated ;

(c) The matter is one which concerns purely the District Board and not Government. A new bridge is being built by the District Board.

#### ATARI-AJNALA ROAD.

**\*808. Khan Sahib Chaudhri Fazal Din :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether he is aware of the fact that only a small portion of the road which goes from Atari to Ajnala in district Amritsar has been made *pucca*, and the remaining road has been left as before ;
- (b) whether it is a district board road ;
- (c) whether it is intended to make the road *pucca* ; and if so, when ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) Yes.

(b) Yes.

(c) The matter is under the consideration of the District Board, Amritsar, and depends upon the decision it takes regarding the 5 years road development programme of metalling class II unmetalled roads of the district and the availability of funds.

## ROADS IN RURAL AREAS.

**\*809. Khan Sahib Chaudhri Fazal Din :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether he is aware of the fact that the roads in rural areas are in a very bad condition ;
- (b) if the answer to (a) above be in the affirmative, whether it is intended to take steps to improve them ;
- (c) whether any bridges have been built over water-courses which cross these roads and for want of which travellers experience great inconvenience and difficulty ;
- (d) whether it is a fact that at most places the roads have become very narrow as the zamindars have added portions of them to their own lands ; if so, whether Government intend to take steps to mark their boundaries clearly ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) No—not all of them by any means.

(b) Proposals are afoot to improve in the near future a limited number of roads which require immediate attention.

(c) There are a certain number of old established water courses crossing unmetalled district board roads which are still unbridged. When the work of improvement of these roads is undertaken, culverts over these water courses will be provided. There is a limited provision in the Road Programme for improvement of unmetalled roads ; this will include the building of culverts over old unbridged water-courses. It is not however the business of Government or district boards to bridge new water courses.

(d) As far as provincial and district board roads are concerned encroachments have occurred to a very limited extent. It is, therefore, presumed that this part of the question deals with village roads. As far as these roads are concerned, this is the concern of the village community and not of Government or district boards.

**Lala Duni Chand :** Is it not a fact that some of the metalled roads have practically ceased to exist on account of their not being repaired ?

**Minister :** No.

**Lala Duni Chand :** Does the Honourable Minister know anything about the disgraceful condition of metalled roads in Ambala district ?

**Minister :** I know that they are fit for traffic. (*Laughter*).

**Lala Duni Chand :** Has the Honourable Minister been ever to Ambala district ?

**Minister :** Yes quite recently.

**Lala Duni Chand :** Has he travelled from Kharar to Rupar ?

**Minister :** No.

**Lala Bhim Sen Sachar :** Did he get any information with respect to these roads ?

**Minister :** Yes, I have said already that they are fit for traffic.

**Lala Duni Chand :** On which road did the Honourable Minister travel in Ambala district ?

**Minister :** That does not arise.

WATERLOGGING OF THE LAND ON DIPALPUR CANAL.

**\*810. Sardar Muhammad Husain :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that ever since the introduction of the Dipalpur canal the land in its vicinity and in the vicinity of its minors has been waterlogged ;
- (b) if the answer to (a) be in the affirmative, what action Government intend to take in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Since opening of Dipalpur Canal waterlogging trouble was experienced along a half mile strip on both sides of the canal for a length of about 16 miles.

(b) Government has already taken necessary action and constructed drains where required so that conditions appear to be stable, and the owners of the land where water table is high get excellent rice crops on their lands.

SMALL LAND OWNERS.

**\*811. Sardar Muhammad Husain :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the lands of some zamindars have become so small on account of fragmentation of holdings that they are unable to earn even their livelihood ;
- (b) if the answer to (a) be in the affirmative, what action Government intend to take to save such zamindars from indigence and starvation ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes, in some cases ; but it is impossible to say, even approximately, in how many.

(b) Government have already granted over 50,000 acres to zamindars whose holdings were particularly small and a far larger area to zamindars living in congested districts.

**Mian Abdul Rab :** Does government propose to give land to such people ?

**Minister :** There is no such proposal at present before the Government.

ABSENCE OF BRIDGES ON DRAINS NEAR DIPALPUR CANAL.

**\*812. Sardar Muhammad Husain :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that at some places *pucca* bridges have not been built on the drains constructed by the Irrigation Department to take out water from the waterlogged area in the

[S. Muhammad Husain.]

vicinity of the Dipalpur canal and that the temporary arrangement of cemented drains for taking out such water has proved unsatisfactory ;

(b) whether it is a fact that owing to the absence of *pucca* bridges on the crossings in front of burji No. 121 and village Nunga Singhwala, situated in sub-division Khudian of the Dipalpur canal, the water from the waterlogged area is not properly drained with the result that the crops of villages Mohkiwala, Lange Hana, Sheikhpura, Mangal Singhwala and Junga Singhwala are destroyed every year ;

(c) if so, whether the Government intends constructing *pucca* bridges on these drains to save the crops of the zamindars from destruction every year ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) and (c) Enquiries are being made and necessary action will be taken on receipt of report.

(b) There is a stretch of low area in this vicinity which owing to its low level is affected, but not owing to the absence of the bridge.

#### RECRUITMENT OF SIKHS AS POLICE CONSTABLES.

**\*813. Lieutenant Sodhi Harnam Singh :** Will the Honourable Premier be pleased to state—

- (a) the number of police constables recruited district-wise and community-wise since the 1st April, 1937, up till now ;
- (b) the number of applications for the post of constables district-wise and community-wise considered after the 30th March, 1937, uptill now ;
- (c) whether it is a fact that the proportion of Muslims in this cadre of constables is 78 per cent. and whether their further recruitment has been permitted ; if so, why ;
- (d) whether the Government has any intention to issue instructions to the district police officers to give more attention to the recruitment of the Sikhs in the police to make up the deficiency in their strength in this cadre ; if not, why not ?

**Parliamentary Secretary (Mir Maqbool Mahmood) :** (a) and (b) A statement is laid on the table. The information in it does not, however, give a true idea of the real position in regard to part (b), as the great majority of the candidates for enlistment appear in person without submitting written applications, and no record is kept of them.

(c) Yes. In reply to another question put by the honourable member in the last Simla session I informed him that a sustained effort had been made in recent years to increase the recruitment of Sikhs in the lower ranks of the police, with the result that their percentage was steadily rising. The figures in the statement which I have now laid on the table show that this process continues. It has never been the intention, however, to stop the recruitment of any community altogether in order to adjust the communal proportions.

(d) This was in effect answered in reply to<sup>1</sup> Question \*509, put by the honourable member in the Simla session.

## Statement.

Serial No.	District.	(a) FOOT CONSTABLES RECRUITED SINCE THE 1ST APRIL, 1937.					(b) NUMBER OF APPLICATIONS CONSIDERED.				
		Muslims.	Hindus.	Sikhs.	Christians.	Total.	Muslims.	Hindus.	Sikhs.	Christians.	Total.
1	Hissar ..	14	12	3	..	29	..	..	..	..	..
2	Rohtak ..	6	11	2	..	19	30	75	13	..	118
3	Gurgaon ..	4	10	2	..	16	5	21	1	..	27
4	Karnal ..	9	6	9	..	24	14	13	2	..	29
5	Ambala ..	6	3	12	..	21	12	4	23	..	39
6	Simla ..	11	1	4	..	16	22	13	5	..	40
7	Hoshiarpur ..	12	8	12	..	32	47	41	36	1	126
8	Jullundur ..	4	2	4	..	10	30	4	9	..	43
9	Ludhiana ..	4	1	5	..	10	28	8	24	..	60
10	Kangra ..	3	12	1	..	16	4	40	..	..	44
11	Ferozepore ..	11	1	4	..	16	..	..	..	..	..
12	Lahore ..	47	88	67	..	202	..	..	..	..	..
13	Amritsar ..	25	13	26	..	64	..	..	..	..	..
14	Gurdaspur ..	20	7	6	1	34	22	6	9	2	39
15	Sialkot ..	26	3	17	..	46	112	13	44	2	171
16	Gujranwala ..	17	6	15	..	38	..	..	..	..	..
17	Sheikhpura ..	5	6	11	..	22	..	..	..	..	..
18	Montgomery ..	16	7	14	..	37	20	9	17	..	46
19	Lyalpur ..	28	3	12	..	43	9	4	7	..	20
20	Jhang ..	8	1	2	..	11	..	..	..	..	..
21	Multan ..	25	5	3	..	33	45	11	5	..	61
22	Muzaffargarh ..	10	..	2	..	12	..	..	..	..	..
23	Dera Ghazi Khan ..	20	5	5	..	30	27	10	..	..	37
24	Gujrat ..	14	9	7	..	30	..	..	..	..	..
25	Shahpur ..	20	2	6	..	28	57	10	10	..	77
26	Jhelum ..	5	3	7	..	15	26	6	4	..	36
27	Rawalpindi ..	22	5	2	..	29	106	9	12	..	127
28	Attock ..	6	3	3	..	12	..	..	..	..	..
29	Mianwali ..	10	3	2	..	15	52	6	2	..	60
30	Government Rail- way Police.	32	13	28	2	75	..	..	..	..	..
31	Provincial Addi- tional Police.	168	56	56	..	280	21	8	9	..	38
	Total ..	608	305	349	3	1,265	689	311	232	5	1,237

## ROADS IN FERROZEPORE DISTRICT.

\*814. **Lieutenant Sodhi Harnam Singh:** Will the Honourable Minister for Public Works be pleased to state—

- the total mileage of roads in Ferozepore district;
- the total mileage of the metalled roads in the said district;
- the total mileage of roads in Ferozepore tahsil;
- the total mileage of metalled roads in the said tahsil?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) 833·87.

(b) 225·46.

(c) 182·11.

(d) 56·61.

#### RECRUITMENT OF DISTRICT MEDICAL OFFICERS.

**\*815. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Education be pleased to state—

(a) the number of district medical officers for health recruited in the year 1936-37 ;

(b) the number of applicants community-wise ;

(c) the number of Hindus, Sikhs and Muhammadans separately among the selected candidates ;

(d) the number of district medical officers of health community-wise before this selection ;

(e) the reason why no Sikh or Hindu district medical officer of health was selected in the year 1936-37 ?

**The Honourable Mian Abdul Haye :** (a) None.

(b) to (e) Do not arise.

#### TAXES FOR SHOPKEEPERS, ETC.

**\*816. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Finance be pleased to state—

(a) the total amount of land revenue and water rates collected in the year 1936-37 ;

(b) the amount of taxes, if any, collected from the non-zamindars of this province by this Government for the same year ;

(c) why the businessmen, capitalists, shopkeepers, contractors, etc., are not being taxed by this Government ?

**The Honourable Mr. Manohar Lal :** (a)—

Rs.

Land Revenue	--	--	.. 4,50,52,045
Water Rates	..	--	.. 4,15,72,492

(b) It is impossible to ascertain the amount of taxes paid by zamindars and non-zamindars.

(c) They pay income-tax to the Central Government. The Resources and Retrenchment Committee is considering whether any further tax can be levied on these classes.

## BHAGAT SINGH CONSPIRACY CASE CONVICTS.

**\*817. Chaudhri Kartar Singh :** Will the Honourable Finance Minister be pleased to state—

(a) the number of convicts of the Bhagat Singh Conspiracy Case who are still in jail with the names of provinces and prisons where they are confined at present ;

(b) their names and the dates when they are due to be released ?

**The Honourable Mr. Manohar Lal :** (a) A statement giving the required information is attached.

(b) The term of imprisonment of these is transportation for life.

**Chaudhri Kartar Singh :** Will the Honourable Minister say what is meant by transportation for life ?

**Minister :** It is usually 20 years.

*Statement.*

(a) and (b).

Serial No.	Name.	Father's name.	Jail in which confined.	Province.
1	Kishori Lal Rattan <i>alias</i> Deo Dutt Rattan <i>alias</i> Maet Ram Shastri.	Raghubir Datt ..	Lahore Central Jail	Punjab.
2	Kanwal Nath Trivedi <i>alias</i> Kanwal Nath Tewari.	Suraj Nath Tewari..	Ditto	Do.
3	Gaya Parshad <i>alias</i> Dr. B. S. Nigam, <i>alias</i> Ram Lal <i>alias</i> Nath <i>alias</i> Desh Bhagat.	Mouji Ram ..	Ditto	Do.
4	Jai Dev! <i>alias</i> Haresh Chander.	Babu Salig Ram ..	Ditto	Do.
5	Sheo Varma <i>alias</i> Par- bhat <i>alias</i> Har Narain <i>alias</i> Ram Narain Kapur.	Kanhiya Lal Varma	Ditto	Do.
6	Bejoy Kumar Sinha <i>alias</i> Bechu.	Markando Kumar Sinha.	Ditto	Do.

## GURDASPUR CONSPIRACY CASE CONVICTS.

**\*818. Chaudhri Kartar Singh :** Will the Honourable Finance Minister be pleased to state—

(a) the number of convicts of the Gurdaspur Conspiracy Case who are still in prison ;

(b) their names and the dates on which they are due to be released ?

**The Honourable Mr. Manohar Lal :** (a) Two.

(b) (1) Hazara Singh, son of Jhanda Singh and (2) Tara Singh, son of Dit Singh. Each of them is undergoing a sentence of 7 years' rigorous imprisonment. The exact dates on which they are due for release cannot be given, as they depend partly on remissions earned.

SECOND CONSPIRACY CASE CONVICTS.

**\*819. Chaudhri Kartar Singh :** Will the Honourable Finance Minister be pleased to state—

- (a) the number of convicts of the 2nd Punjab Conspiracy Case (Crown *versus* Kundan Lal and others) who are still in jail ;
- (b) their names and when they are due to be released ;
- (c) the names of the prisons and the provinces in which they are confined ;
- (d) whether it is a fact that they were treated as ' B ' class prisoners when under trial ;
- (e) whether it is a fact that they were placed in the ' B ' class by the trying tribunal, and that they had been treated as such for the first five years of their confinement ;
- (f) whether it is a fact that they have been now deprived of ' B ' class concessions ; if so, reasons for the same ?

**The Honourable Mr. Manohar Lal :** (a) *first half of* (b) and (c) A statement giving the required information is attached.

*Second half of* (b) The term of imprisonment of all except Nathu Ram is transportation for life. Nathu Ram is undergoing a sentence of 7 years' rigorous imprisonment. If he remains of good behaviour and earns full jail remissions, he will probably be released in March, 1939.

(d) and (e) Yes.

(f) The Commission which tried the cases of these prisoners delivered judgment in December, 1933. They did not submit their recommendations for jail classification for the confirmation of Government. This omission was not detected till November, 1934. As a result of enquiries made into the social status of the various prisoners, they were given ' C ' class in 1935.

Recently the classification of Jahangiri Lal, Rup Chand, Kundan Lal was raised to ' B ' class.

**Lala Deshbandhu Gupta :** What about the rest ?

**Minister :** The honourable member will see that the total number is six. I went into these cases myself and found that it was possible to improve the classification of three of these, that is Kundan Lal, Roop Chand and Jahangiri Lal from C to B class. If others apply their cases will also be looked into.

**Lala Deshbandhu Gupta :** Will Government look into the cases on its own initiative ?

**Minister :** As a matter of fact Government is looking into these cases on its own initiative but the jail rules require that persons desiring to have their classification improved should apply.

**Lala Deshbandhu Gupta :** In view of the fact that they were treated as B class prisoners for three years I think Government should look into their cases again.

**Minister :** That is a matter of opinion.

**Lala Deshbandhu Gupta :** Do Government agree with that opinion ?

**Minister :** Government has not said that the cases will not be examined ; as a matter of fact they are being examined.

**Lala Duni Chand :** Will the Punjab Government adopt the same policy in the matter of the release of political prisoners as has been adopted by the seven Congress provinces ?

**Minister :** I do not know exactly what policy has been adopted by those provinces.

*Statement.*

Serial No.	Name.	Father's name.	Jail in which confined.	Province.
1	Inder Pal ..	Hari Ram ..	Central Jail, Montgomery.	Punjab.
2	Kundan Lal ..	Rulia Ram ..	Ditto	Do.
3	Gulab Singh ..	Wazir Singh ..	Central Jail, Lahore	Do.
4	Roop Chand ..	Sarab Dial ..	Ditto	Do.
5	Jehangiri Lal ..	Bihari Lal ..	Ditto	Do.
6	Nathu Ram ..	Amir Singh ..	Ditto	Do.

**BABAR AKALIS.**

**\*820. Chaudhri Kartar Singh :** Will the Honourable Finance Minister be pleased to state—

- how many *Babar Akalis* are still in prison ;
- their names ;
- when they are to be released ;
- the names of prisons and provinces where they are confined ?

**The Honourable Mr. Manohar Lal :** (a), (b) and (d). A statement giving the required information is attached.

(c) Out of these 15, 2 (Nos. 6 and 12) are undergoing an aggregate sentence of 19 years' rigorous imprisonment each. Owing to remissions the exact date on which they are due for release cannot be given, but provided they have earned full remissions they should be due for release in May 1939 and May 1940, respectively. The term of imprisonment of the remaining 13 is transportation for life.

[Finance Minister]

*Statement.*

(a), (b) and (d).

Serial No.	Name.	Father's name.	Jail in which confined.	Province.
1	Sachint Singh ..	Udham Singh ..	Central Jail, Montgomery.	Punjab.
2	Piara Singh ..	Puran Singh ..	Ditto	Do.
3	Buta Singh ..	Thakar Singh ..	Ditto	Do.
4	Udham Singh ..	Labhu Ram ..	Central Jail, Lahore	Do.
5	Sunder Singh ..	Nathu Singh ..	Ditto	Do.
6	Hazara Singh ..	Indar Singh ..	District Jail, Mianwali.	Do.
7	Gian Singh ..	Hira Singh ..	Old Central Jail, Multan.	Do.
8	Surain Singh ..	Thakar Singh ..	Ditto	Do.
9	Bhola Singh ..	Kirpa Singh ..	Ditto	Do.
10	Bhola Singh ..	Waryam Singh ..	Ditto	Do.
11	Karam Singh ..	Dunna Singh ..	New Central Jail, Multan.	Do.
12	Dalip Singh ..	Achhru ..	Ditto	Do.
13	Man Singh ..	Hira Singh ..	Ditto	Do.
14	Ishar Singh ..	Man Singh ..	Ditto	Do.
15	Thakar Singh ..	Maya Singh ..	Ditto	Do.

## SUBSCRIPTION FOR RURAL UPLIFT WORK.

\*821. **Chaudhri Kartar Singh** : Will the Honourable Minister for Development be pleased to state—

- (a) whether it is a fact that six rupees from each lambardar of the Jaranwala tahsil have been collected for rural uplift work ;
- (b) if the answer to (a) above be in the affirmative, the law or rule under which this subscription has been raised, with the names of persons who are responsible for its collection ?

**The Honourable Chaudhri Sir Chhotu Ram** : (a) No. The lambardars of the Jaranwala tahsil who are members of the Dehat Sudhar Committee, Lyallpur, pay a membership fee of Rs. 8 annually and a subscription of Rs. 8 per annum for the "Lyallpur Akbhar" which is an organ of the Dehat

Sudhar movement. The fee for the membership and the subscription for the paper are entirely voluntary. No official pressure is used to enlist members.

(b) Does not arise.

**Khawaja Ghulam Husain :** Is it a fact that these subscriptions are invariably realised through tahsildars ?

**Minister :** I am not aware of it.

**Khawaja Ghulam Husain :** Will the Honourable Minister make enquiries ?

**Minister :** If the question is repeated, I will.

**Khawaja Ghulam Husain :** Is the Honourable Minister aware that in all other tahsils besides Jaranwala these subscriptions have been realised ?

**Minister :** I am not aware of it.

**Pandit Shri Ram Sharma :** How many lambardars have made such contributions ?

**Minister :** I cannot answer that question unless I receive notice before hand.

**Pandit Shri Ram Sharma :** Are there any other people besides lambardars who pay these subscriptions ?

**Minister :** I do not know the number.

**Pandit Shri Ram Sharma :** Some rough idea ?

**Minister :** I cannot give any idea rough or precise.

SUB-SOIL WATER LEVEL IN JULLUNDUR AND HOSHIARPUR DISTRICTS.

\*822. **Chaudhri Kartar Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether Government are aware that the sub-soil water-level in districts Jullundur and Hoshiarpur has gone down ;
- (b) if the answer to (a) above be in the affirmative, whether Government propose to appoint an inquiry committee to inquire into the causes of and to suggest remedies for the same ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) Yes. So far Government has no intention of appointing any enquiry committee for the purpose but a complete history of the subject is now under preparation which, as soon as the same is submitted, will be duly considered with a view to take suitable action. I may inform the member that the situation is already receiving serious attention by the Government.

ROSHAN DIN, SUB-INSPECTOR, POLICE.

\*823. **Chaudhri Kartar Singh :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that one Roshan Din, a sub-inspector of police was dismissed recently ;
- (b) whether it is a fact that within a week of his dismissal he was re-instated and posted at Sheikhpura ;

[Ch. Kartar Singh.]

(c) the ground of his dismissal ;

(d) the reasons that led to his re-instatement ?

**Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) :**

(a) The question appears to relate to Sub-Inspector Roshan Shah, who was dismissed by the Superintendent of Police, Sialkot, with effect from the 1st April, 1937.

(b) He was re-instated with effect from the date of dismissal by an order passed by the Inspector-General of Police, in the exercise of his ordinary revisional powers, on the 12th July, and was posted to the Lyallpur district.

(c) Alleged recording of false entries in the daily diary of his police station ;

(d) The Inspector-General of Police, Punjab, found that the charge was not established.

**Chaudhri Kartar Singh :** What were the reasons for his dismissal and on what grounds was he re-instated ?

**Parliamentary Secretary :** I have already stated that on account of false entries in the daily diary, the Superintendent of Police dismissed him. The Inspector-General finding that the charge was not well-founded, re-instated him.

**Chaudhri Kartar Singh :** Is it a fact that the Honourable Premier sent a telephonic message to the Inspector-General ?

**Sardar Sampuran Singh :** On a point of order. Will it be out of order to make enquiries about the orders given by the Members of the Cabinet on the telephone ? The question was whether any telegraphic or telephonic message was sent by the Honourable Premier to the Inspector-General. That should be in no way out of order.

**Chaudhri Kartar Singh :** Is it a fact that the Honourable Premier instructed the Inspector-General through telephone that the sub-inspector concerned should be re-instated ?

**Parliamentary Secretary :** No telegram was sent nor any telephonic message given to my knowledge.

**Lala Deshbandhu Gupta :** Will the Honourable Member make enquiries and let the House know about it ?

**Parliamentary Secretary :** Yes, if a notice is given.

#### SUB-INSPECTORS AND HEAD CONSTABLES.

**\*824. Chaudhri Kartar Singh :** Will the Honourable Premier be pleased to state—

(a) the number of sub-inspectors and head constables who have been dismissed or suspended since the last Assembly session ;

(b) the grounds of their dismissal or suspension ;

(c) the number of Hindus and Muslims amongst them separately ?

**Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) :** A statement is laid on the table.

## Statement.

District.	Dismissed.		(a) Suspended.		(b) Grounds.	Hindus.		(c) Muslims.		Sikhs.	
	Sub-Inspector.	Head Constable.	Sub-Inspector.	Head Constable.		Sub-Inspector.	Head Constable.	Sub-Inspector.	Head Constable.	Sub-Inspector.	Head Constable.
1	2	3	4	5	6	7	8	9	10	11	12
1. Hissar	..	..	..	1	Negligence resulting in the escape of two under-trial prisoners.	..	..	..	1	..	..
2. Hoshiarpur	..	2	*including 2 dismissed.	*3	<i>Dismissed.</i> —Two Head Constables were sentenced under section 384, Indian Penal Code, to a fine of Rs. 125 for extorting money from gamblers. <i>Suspension.</i> —One Head Constable was censured for misconduct in that he enticed away the wife of a constable.	..	1	..	1	..	1
3. Lahore	..	1	..	1	<i>Dismissed.</i> —Preparing false records, forging a false receipt about the sale of a bullock, and using the receipt knowing it to be false in order to send an accused for trial. <i>Suspension.</i> —Riding in an overloaded lorry, and corruption.	..	1	..	..	..	1

[Parliamentary Secretary.]

## STATEMENT—CONTINUED.

District.	Dismissed.		(a) Suspended.		(b) Grounds.	HINDUS.		(c) MUSLIMS.		SIRHS.	
	Sub-Inspector.	Head Constable.	Sub-Inspector.	Head Constable.		Sub-Inspector.	Head Constable.	Sub-Inspector.	Head Constable.	Sub-Inspector.	Head Constable.
1	2	3	4	5	6	7	8	9	10	11	12
4. Amritsar ..	..	..	..	2	1. For challaning an innocent person. 2. General mal-practices while posted at police station Ajnala.	..	..	..	1	..	1
5. Gurdaspur ..	1	1	.. *including one dismissed.	*2	Dismissed.—Sub-Inspector.—General inefficiency and dishonesty. Dismissed.—Head Constable.—Ex-tortion of money. Suspension.—Head Constable. Pending prosecution under section 161, Indian Penal Code. Suspension.—Head Constable. Pending prosecution under section 323, Indian Penal Code.	..	..	..	2	1	..
6. Gujranwala ..	..	..	..	1		..	..	..	1	..	..
7. Montgomery ..	1	..	..	1	Dismissed.—Sub-Inspector.—Inefficiency.	..	..	..	..	1	1



## [Parliamentary Secretary]

## STATEMENT—CONCLUDED.

District.	Dismissed.		(a) Suspended.		(b) Grounds.	HINDUS.		(c) MUSLIMS.		SIKHS.	
	Sub-Inspector.	Head Constable.	Sub-Inspector.	Head Constable.		Sub-Inspector.	Head Constable.	Sub-Inspector.	Head Constable.	Sub-Inspector.	Head Constable.
1	2	3	4	5	6	7	8	9	10	11	12
14. Attock	..	1	1	..	Dismissal.—Head Constable.— For gross misconduct in proceeding on duty with 4 constables without making an entry in the Daily Diary Register, for trespass and assault. Suspension.—Sub-Inspector.— For attempted suicide. Re-instated from the date of suspension.	1	1	..	..	..	1
15. Assistant Inspector-General, Government Railway Police, Lahore.	1	1	..	2	Dismissal.—Sub-Inspector.—For wrongful confinement of a person under section 109, Criminal Procedure Code. Dismissal.—Head Constable. For bribery and corruption. Suspension.—Head Constable— (1) Insubordination. (2) Disregarding certain provisions of Police Rules.	1	..	..	2	..	1

LIST OF CANDIDATES IN LUDHIANA DEPUTY COMMISSIONER'S  
OFFICE.

**\*825. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the number of clerks employed in the office of the Deputy Commissioner, Ludhiana, and the number of B.A., LL.Bs., and graduates among them ;
- (b) whether it is a fact that the names of some of the candidates were recently removed from the list on account of their being over-age ; if so, the names of such candidates and also the period for which their names have been included in the list of candidates ;
- (c) whether it is a fact that this list was revised in 1934, 1935 and 1936 ; if so, the reasons why the candidates whose names have now been removed, were not then served with a notice that their names were liable to be removed on account of their being over-age ;
- (d) the names of the leave reservists employed in June or July, 1937, with their qualifications and their home districts and their respective ages and also whether they are agriculturists or non-agriculturists ;
- (e) whether it is a fact that the candidates whose names were removed from the list made representations to the Commissioner, Jullundur division, alleging therein that their claims had been ignored ; if so, with what result ?

**The Honourable Dr. Sir Sundar Singh Majithia :** —(a) 117. Out of them one is a B.A., LL.B. and seven are graduates.

(b) Yes. A list marked ' A ' is laid on the table.

(c) No. It was only in 1934 that names of a few candidates who were then either absent or had taken up employment elsewhere, were struck off.

(d) A list marked ' B ' is laid on the table.

(e) Yes. The representations were duly considered and no interference found to be necessary.

**Chaudhri Muhammad Hasan :** Were these clerks afforded an opportunity to substantiate their allegations ?

**Minister :** If the question is put I will make enquiries.

**Chaudhri Muhammad Hasan :** Is the Honourable Minister in a position to give me any information now ?

**Minister :** Why should I repeat the reply which I have given already ?

[Minister for Revenue.]

## LIST A.

Serial No.	Name of the candidate.	Period for which the name of the candidate remained included in the list.
1	2	3
1	M. Ata Muhammad .. ..	About 10 years.
2	M. Pyare Lal .. ..	About 10 years.
3	M. Abdul Majid .. ..	About 9 years.
4	M. Ahmad Hassan .. ..	About 9 years.
5	M. Abdus Samad .. ..	About 9 years.
6	M. Rattan Chand .. ..	About 9 years.
7	M. Kishore Chand .. ..	About 9 years.
8	M. Hoshier Singh .. ..	About 9 years.
9	M. Lachman Singh .. ..	About 9 years.
10	M. Harnam Singh .. ..	About 8 years.
11	M. Mumtaz Ali .. ..	About 8 years.
12	Mr. Daniel Ram Ditt .. ..	About 8 years.
13	M. Dwarka Dass .. ..	About 8 years.
14	M. Nasib Chand .. ..	About 9 years.
15	M. Khair-ud-Din .. ..	About 7 years.
16	M. Dina Nath .. ..	About 6 years.
17	M. Amar Singh .. ..	About 6 years.
18	M. Rajindar Singh .. ..	About 6 years.
19	M. Nasir Ahmad .. ..	About 5 years.
20	M. Sucha Singh .. ..	About 6 years.
21	M. Devi Dayal .. ..	About 6 years.
22	M. Shamsheer Singh .. ..	About 5 years.
23	M. Sohan Gopal .. ..	About 5 years.
24	M. Nazir Ahmad .. ..	About 3 years.
25	M. Mazhar-ul-Haq .. ..	About 3 years.
26	M. Barkat Ullah .. ..	About 1 year.

## LIST B.

*List of Leave Reserve Clerks recruited in the Deputy Commissioner's Office, Ludhiana, in June or July 1937.*

Name.	Qualifications.	Home District.	Age.	REMARKS.
1	2	3	4	5
			Years.	
1. Lala Rattan Chand ..	B. A. ..	Lahore ..	24½	(Non-Agriculturist).
2. M. Rahmat Ali ..	B. A. ..	Ludhiana ..	20	(Agriculturist).
3. M. Balwant Singh ..	Matriculate.	Lahore ..	16½	(Non-Agriculturist).
4. S. Hardial Singh ..	B. A. ..	Hoshiarpur ..	24	(Agriculturist).

NOTE.—Some of them are mere technically outsiders as their relations have been serving the district for some years. Since July 10 candidates who are residents of the district have been enlisted. Seven out of them are agriculturists.

## DAMAGE TO CROPS.

**\*826. Master Kabul Singh :** Will the Honourable Minister for Revenue be pleased to state—

- the extent of damage done to crops in Jullundur district by the recent hailstorm ;
- the relief given to different villages and the amount in each case ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Less than 4 annas in five villages only.

- No remission was given.

## PANDIT LAHORI RAM PARDESI.

**\*827. Master Kabul Singh :** Will the Honourable Premier be pleased to state—

- whether it is a fact that the house of Pandit Lahori Ram Pardesi of village Cheema Kalan in district Jullundur was searched in January last ;
- whether it is a fact that along with other articles passports for the wife and 4 children of the said Pandit were taken away by the police ;
- whether Pandit Lahori Ram Pardesi has addressed the Government for the return of these passports ;

Master Kabul Singh]

(d) if the answer to (c) above be in the affirmative, whether the Government is prepared to return those passports; if not, reasons for the same?

**Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh):**  
(a) and (b) Yes;

(c) No.

(d) Does not arise. The passports have been returned.

#### ENCOURAGEMENT OF COTTAGE INDUSTRIES.

**\*828. Chaudhri Muhammad Hasan:** Will the Honourable Minister for Development be pleased to state the steps the Department of Industries has so far taken towards the encouragement of cottage industry in the province in general and in the Ludhiana district, in particular, where conditions for the growth of cottage industry are very favourable?

**The Honourable Chaudhri Sir Chhotu Ram:** The honourable member's attention is invited to the "note on the progress of Industries Department, Punjab", dated the 24th February 1937 placed on the table in reply to Question No. \*491 asked at the last session of the Punjab Legislative Assembly by Lieutenant Sodhi Harnam Singh. That note shows the directions in which the Department of Industries has helped the development of both small scale and large scale industries in the province. So far as Ludhiana proper is concerned, Government has in addition to the forms of assistance detailed in the note, given assistance towards the development of cottage industries in two specific ways:—

- (i) by the establishment of two training institutions in Ludhiana, i.e., the Government Hosiery Institute and the Government Industrial School. The former institution trains artisans and hosiery workers in the modern methods of knitting by the use of the latest types of hosiery machines and the latter provides training in the manufacture of hosiery machines and accessories, carpentry and smithy, and
- (ii) by the grant of financial assistance under the Punjab Industrial Loans Act (now the Punjab State Aid to Industries Act, 1935), to small scale hosiery manufacturers, handloom weavers and manufacturers of hosiery machines in Ludhiana.

**Chaudhri Muhammad Hasan:** Has anything been done with regard to the encouragement of cottage industries in the Ludhiana district apart from the town?

**Minister:** If the honourable member puts this question in the next session, I will make enquiries and give him an answer.

**Sardar Kapoor Singh:** Is the Honourable Minister aware that there is a factory for manufacturing knitting machine in Nandpur village?

**Minister:** I am not aware of it.

**Sardar Kapoor Singh:** Nandpur is a village which the Honourable Minister visited during his recent visit to Ludhiana.

**Minister:** It is very difficult to remember all the details of my tour.

**Pandit Muni Lal Kalia :** It is the village where 41 arrests were made in honour of your visit.

**Minister :** It is possible ;

**Lala Deshbhandhu Gupta :** Has the Honourable Minister any idea of the expenditure incurred on the development of this industry since April last ?

**Minister :** No, Sir.

**Pandit Muni Lal Kalia :** Is not the supplementary question put by Chaudhri Muhammad Hasan covered in question No. 828 to which the Honourable Minister says he requires notice ?

**Minister :** My answer to the question is full and detailed.

**Pandit Muni Lal Kalia :** The question put by Chaudhri Muhammad Hasan is with regard to the steps taken for encouragement of cottage industries in the Ludhiana district. Why is it that no answer has been given to it ?

**Minister :** Perhaps, the honourable member has not heard my answer to the question.

#### DAIRY-FARMING IN LUDHIANA DISTRICT.

**\*829. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Development be pleased to state whether the Department of Industries has taken or proposes now to take steps to popularise dairy-farming among the agriculturists in the Ludhiana district where considerable area is available for the purpose ?

**The Honourable Chaudhri Sir Chhotu Ram :** The dairy industry of the Ludhiana district does not offer much inducement to any honest producer unless there is some effective check on adulteration which is prevalent in Ludhiana town. The Civil Veterinary Department is, however, always prepared to help in the buying of suitable stock, the maintenance of the health of the animals, the planning out of the dairy farm, the construction of buildings, the purchase of the necessary plant and the disposal of milk and other dairy produce.

**Chaudhri Muhammad Hasan :** Did the Honourable Minister make any enquiries with regard to this while he was on tour in the Ludhiana district ?

**Minister :** No.

#### APPLICATION FOR LOAN FROM THE INDUSTRIES DEPARTMENT.

**\*830. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Development be pleased to state whether any one from the Ludhiana district, excluding the Ludhiana town, recently applied for the grant of a loan from the Department of Industries ; if so, with what result ?

**The Honourable Chaudhri Sir Chhotu Ram :** The reply is in the negative.

## OFFICER OF THE INDUSTRIAL DEPARTMENT AT LUDHIANA.

**\*831. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Development be pleased to state whether any officer of the Department of Industries has recently been posted to the Ludhiana district ; if so, the duties that he is expected to perform ?

**The Honourable Chaudhri Sir Chhotu Ram :** The reply is in the negative.

**Chaudhri Muhammad Hasan :** Why has the Department of Industries not deputed an officer of theirs to look into these things ?

**Minister :** Which things ?

**Chaudhri Muhammad Hasan :** To look into the encouragement of industries in the Ludhiana district.

**Minister :** If a notice is given of this then I will inquire from the Director of Industries.

**Chaudhri Muhammad Hasan :** Notice is already given.

**Minister :** No.

**Lala Deshbhandhu Gupta :** Do Government intend to take any special measures to promote the hosiery industry in Ludhiana ?

**Minister :** No.

**Pandit Muni Lal Kalra :** Is the reason primarily this that that will benefit the non-agriculturists ?

**Minister :** No.

**Lala Deshbhandhu Gupta :** Is it that it does not require any encouragement or is it that Government does not propose to encourage the industry ?

**Minister :** All that is possible is being done.

## JULLUNDUR GOVERNMENT AGRICULTURAL FARM.

**\*832. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Development be pleased to state the income from and expenditure on the maintenance of Government Agriculture Farm, Jullundur ?

**The Honourable Chaudhri Sir Chhotu Ram :** The income and expenditure of the Jullundur Agricultural Station during the year 1936-37 amounted to Rs. 8,766 and Rs. 26,560, respectively.

**Chaudhri Muhammad Hasan :** Is not the expenditure much too excessive in comparison with the work of the Agriculture Department ?

**Minister :** That is a matter of opinion. It is not my opinion any way.

## FAIRS AND EXHIBITIONS IN LUDHIANA AND JULLUNDUR.

**\*833. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Development be pleased to state—

- (a) whether the Department of Agriculture at Jullundur holds exhibitions and fairs in the villages under its jurisdiction for the demonstration of modern methods of agriculture ;

if so, the number of such exhibitions or fairs in Jullundur and Ludhiana districts so far for purposes mentioned above, during the last three years ;

- (b) if no such exhibitions and fairs have been held in these districts so far, the reasons for the same ?

**The Honourable Chaudhri Sir Chhotu Ram :** (a) Yes. The number of shows and exhibitions held in the Ludhiana and Jullundur districts during each of the last three years is as follows :—

		1934-35.	1935-36,	1936-37.
Ludhiana district ..	..	16	16	17
Jullundur district ..	..	11	15	20

- (b) Does not arise.

#### CATTLE-BREEDING IN LUDHIANA DISTRICT.

**\*834. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Development be pleased to state—

- (a) the steps he has taken or proposes now to take to improve cattle-breeding in the Ludhiana district and particularly in *Beit Ilaga* of the said district where need for good bullocks is greater for the cultivation of the land ;
- (b) whether he has done anything so far to supply good Hariana stallion bulls (*Sands*) to the said *Beit Ilaga* for the same purpose of improving cattle-breeding ; if not, whether he intends to do so now ?

**The Honourable Chaudhri Sir Chhotu Ram :** (a) For the improvement of cattle in the Ludhiana district, a regular supply of Hariana bulls is being made to the district every year out of district board funds. At present there are 351 Hariana bulls at work in the district and their services have been supplemented by the registration of 276 locally bred bulls. The latter will be replaced by more Hariana bulls according as district board funds permit. As the actual number of approved bulls required for this district amounts to 465 (on the basis of one bull for every 100 cows), it is hoped to complete the full strength in the course of the next five to ten years.

For the *Beit ilaga*, where the cows are of small size, the average sized Hariana bull does not suit. Moreover, the *Beit ilaga*, being the home of parasitic diseases, cannot be regarded as a suitable tract for cattle-breeding. The condition of the local cows is always very poor and only under-fed deteriorated stock are generally found there. For these reasons cattle-breeding work in this area has so far been confined to improvement by 'selection' only, as in the absence of suitable drainage there can be little hope of developing the area as suitable for cattle-breeding.

(b) No Hariana bulls have so far been supplied to this *Beit Ilaga* but it has recently been decided in consultation with the Deputy Commissioner, Ludhiana, to send some small sized Hariana bulls to this *ilaga* by way of trial under special arrangements for their protection from parasitic diseases.

**Chaudhri Muhammad Hasan :** When was the Deputy Commissioner consulted ?

**Minister :** I require notice of that question.

#### CONSTRUCTION OF A BRIDGE OVER SWAN NADI.

**\*835. Chaudhri Kartar Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that a large number of way-farers are swept away every year when the water rises in the Swan nadi in district Hoshiarpur in the rainy season ;
- (b) if the answer to the above be in the affirmative, whether there is a proposal to construct a bridge over the Swan nadi ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** The attention of the honourable member is drawn to the reply to question No. \*776<sup>1</sup> by Sardar Harjab Singh.

#### SCHEME FOR SUPPLYING DRINKING WATER FOR HOSHIARPUR DISTRICT.

**\*836. Chaudhri Kartar Singh :** Will the Honourable Minister for Public Works be pleased to state, whether any scheme for supplying drinking water to the inhabitants of Beit area in the Hoshiarpur district was considered by the previous Government ; if so, when it may be expected to mature ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** Yes. The field work involved is completed and the detailed estimate is under preparation and is likely to be ready by the end of January, 1938. The scheme has been administratively approved for Rs. 6,28,501.

**Chaudhri Kartar Singh :** Will the Honourable Minister please state whether after procuring the necessary water Government intend to tax the zamindars of that ilaqa ?

**Minister :** The scheme is still under consideration.

#### SEPARATE CELLS FOR TERRORIST PRISONERS.

**\*837. Chaudhri Kartar Singh :** Will the Honourable Finance Minister be pleased to state whether it is a fact that the terrorist prisoners in the Punjab are kept in separate cells under the order of Inspector-General of Prisons, Punjab ; if so, why ?

**The Honourable Mr. Manohar Lal :** No. They are kept in separate cells at night, for safe custody, but are permitted to associate with other prisoners of the same type during the day time.

**Chaudhri Kartar Singh :** Will the Honourable Minister please state whether he is aware that it is written on the tickets of the Babar Akali prisoners that they are kept in the cells under the orders of the Inspector-General of Police ?

**Minister :** I have no such information, but I have visited parts of the jails where Babar Akali and other prisoners are placed and I have seen them very much mixing with each other.

#### KUNDAN LAL PRISONER.

**\*838. Chaudhri Kartar Singh :** Will the Honourable Finance Minister be pleased to state—

(a) whether it is a fact that Kundan Lal, who was convicted in second Punjab Conspiracy Case, continued to be treated as B class prisoner for five years after his conviction ;

(b) whether it is also a fact that the said privilege has been withdrawn and that he is being treated as ordinary prisoner now ; if so, why ?

**The Honourable Mr. Manohar Lal :** (a) and (b) : The attention of the Honourable member is drawn to the reply given to his question No. \*819<sup>1</sup>.

#### HOLDING OF DIFFERENT POSTS BY MIR MAQBOOL MAHMOOD, M. L. A.

**\*839. Chaudhri Kartar Singh :** Will the Honourable Premier be pleased to state whether it is a fact that Mir Maqbool Mahmood, M.L.A., is a paid legal adviser to the Chamber of Princes, paid legal adviser to the Patiala Darbar and also a paid whole-time Parliamentary Secretary of the Punjab Government ; if so, whether he is holding all these posts simultaneously with the permission of the Government ?

**Mr. Speaker :** The question has been disallowed by the Governor and therefore I decline to allow it to be put.

**Pandit Muni Lal Kalra :** May I know on what grounds this question has been disallowed I want to know the wording of the order.

**Mr. Speaker :** It has been disallowed under rule 12.

**Pandit Muni Lal Kalra :** My submission is this that it does not relate to any Ruler of a Native State. Therefore it could not have been disallowed.

**Mr. Speaker :** I do not think the Chair or any honourable member of the House can question the order of the Governor.

**Sardar Sampuran Singh :** Has the Honourable Speaker made sure that it is not an attack on the privileges of this House ?

**Mr. Speaker :** I have not studied that aspect of the matter.

**Lala Deshbhandhu Gupta :** As the custodian of the privileges of this House, may I know if the Honourable Speaker has brought forward to the notice of His Excellency that perhaps he has not exercised his discretion rightly in disallowing the question ?

**Mr. Speaker :** I have not done so already ; but if the House makes and regular of formal request I shall gladly submit it to His Excellency for favour of consideration.

STENOGRAPHERS IN THE DEPUTY COMMISSIONER'S OFFICE,  
LAHORE.

**\*840. Sardar Kartar Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the number of posts of stenographers in the Deputy Commissioner's office, Lahore, including the office of the Sub-Divisional Officer, Kasur ;
- (b) the number of Sikh stenographers among them ;
- (c) whether there is a Sikh stenographer candidate who is senior to and more competent than the one attached to the court of the city magistrate, Lahore ;
- (d) if the answer to (c) above be in the affirmative, the reasons why he has not been posted to one of the new appointments ;
- (e) whether it is a fact that the stenographers of the Deputy Commissioner, Lahore, Sub-Divisional Officer, Kasur, and City Magistrate, Lahore are real brothers ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Five (three permanent and two temporary).

(b) None.

(c) Yes ; he is senior but less competent.

(d) Because he was defeated by the present incumbent in a test.

(e) Yes.

**Sardar Partab Singh :** When was that test held ?

**Minister :** Is it necessary for me to make inquiries as to when it was held ?

**Sardar Partab Singh :** Who was the examiner ? Is it the Deputy Commissioner himself ?

**Minister :** No.

**Lala Deshbhandhu Gupta :** Will the Honourable Minister please place the file regarding the test of the candidates on the table ?

**Minister :** I will not do anything of that sort.

SALES OF LANDS BY AGRICULTURISTS.

**\*841. Lala Duni Chand :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the number of cases in which the mortgages and sales of lands by agriculturists in favour of agriculturists have been revoked in summary (mutation) proceedings and such lands restored to the mortgagors and vendors without payments on the ground of the same being *Benami*, in Ambala district within the last two years ;

- (b) the number of cases in which appeals from the orders of tahsildar and naib-tahsildar revoking such mortgages and sales have been made to the Collector of Ambala district within the same period ;
- (c) the number of appeals accepted by the Collector of Ambala district ;
- (d) the number of such cases in which previous sanction of the collector was required to put in applications for review or revision and in which mutation orders were reversed without asking the applicants to obtain such sanction ;
- (e) whether it is a fact that even old transactions of 10 to 15 years have been revoked summarily and the lands given back to the mortgagors and vendors ;
- (f) if the answers to the above be in the affirmative, steps the Government propose to take in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) 239. In 408 other cases mortgages of land in favour of agriculturists were revoked and fresh mortgages sanctioned for a term not exceeding 20 years from the date of original mortgages in the names of real non-agriculturist mortgagees under section 6 of the Punjab Alienation of Land Act.

(b) 52.

(c) 15.

(d) Previous sanction of the collector is not required for applications to be filed for review or revision of an order.

(e) In 240 cases transactions over 10 years old were revoked and the lands were either mortgaged to the real non-agriculturist mortgagees or restored to the mortgagors.

(f) Government do not propose to take any action.

**Lala Duni Chand :** May I invite the attention of the Honourable Minister to sections 15 and 16 of the Land Revenue Act which require the sanction of the collector in order to revise or review any order ? (*An honourable member :* Is that a question.) He states that no sanction is necessary and I am inviting his attention to certain provisions of the Land Revenue Act which lay down that if it is proposed to review or revise an order passed once, the sanction of the higher authorities should be obtained.

**Mr. Speaker :** The Honourable Minister may be wrong : that is all.

**Lala Duni Chand :** I want to know whether he knows that or not.

**Minister :** I have given him the information that I have.

**Lala Duni Chand :** Is the Honourable Minister for Revenue aware that there is a great feeling of resentment and panic over this unauthorised setting aside of mortgages some of them being as old as 10 or 15 years ?

**Minister :** I am not aware.

**Lala Duni Chand :** Is it not a fact that numerous representations have been made by the people affected to the authorities ?

**Minister :** It is already covered in my reply.

**Lala Duni Chand :** How ? Is it a fact or not that new representations have been made to the authorities concerned on the subject ? How is it covered by the reply already given ?

**Minister :** I am not aware of it.

**Pandit Muni Lal Kalia :** With reference to the reply given to part (f), may I know whether the Government is already taking action in this matter and special officers have been appointed to prepare lists of such benamis in which transactions have taken place between agriculturists and non-agriculturists ?

**Minister :** Government have certainly appointed five tahsildars to look into this matter.

**Pandit Muni Lal Kalia :** Then why does the answer to (f) say that Government do not propose to take any action ? Why was the answer wrong in the first instance ?

**Minister :** No, it was quite correct.

**Lala Bhim Sen Sachar :** Was the appointment of these tahsildars *suo motu* or as a result of public representation ?

**Minister :** Possibly both.

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DIPLOMA EXAMINATION OF GOVERNMENT METAL WORKS  
INSTITUTE, AMBALA.

**\*842. Lala Duni Chand :** Will the Honourable Minister for Development be pleased to state—

- (a) whether it is a fact that the diploma examination of the Government Metal Works Institute, Ambala City, is usually held in the months of March and April every year and that its result is ordinarily announced by the middle of May ;
- (b) whether it is a fact that the result of the examination held in March and April, 1937, was not announced till 22nd June, 1937 ;
- (c) whether it is a fact that without specifying any date for the examination an intimation was sent to the examinees of the said Institute that they will be re-examined in Mechanics ;
- (d) whether it is a fact that on receipt of the abovementioned intimation they wrote back to the Director of Industries inquiring reasons for the same and that no reply was given to them ;
- (e) whether it is a fact that the same examinees were informed on the 1st or 2nd August that the examination will be held on the 16th of August, 1937 ;
- (f) whether it is a fact that on receipt of the information mentioned in (e) above they sent a telegram to the Director of Industries inquiring the reasons for holding the examination again, and again no reply was given ; if so, reasons for the same ;
- (g) whether it is also a fact that on his visit to Ambala on 18th August, 1937, representatives of the said examinees waited

upon the Honourable Minister and that he promised to help them ;

- (h) if the answer to (g) above be in the affirmative, whether it is a fact that so far nothing has been done to redeem that promise; if so, reasons for the same ?

**The Honourable Chaudhri Sir Chhotu Ram :** (a) Yes.

(b) Yes. The answer books of the students disclosed an examination fraud, that is to say, the answers in most cases were "cooked", for most of the students had got right answers by wrong calculations. The matter accordingly remained under enquiry, and hence delay occurred in announcing the result.

(c) No. The head master was definitely informed that 17th July had been fixed as the date of the re-examination in Mechanics and was asked to intimate the date to the students.

(d) The reply is in the negative. No representation from the students concerned reached the Director of Industries.

(e) Yes, in order to give another opportunity to the students, the date was altered to 16th August, for the head master had reported that intimation could not reach outstation students in time.

(f) A telegram worded "Final year students Metal Works Institute, Ambala not taking re-examination as protest. Representation follows" was received from the students on 12th August, 1937. A reply was sent on 13th August, 1937, as follows :—

"Reference telegram from students. As an examination fraud has been detected, re-examination in Mechanics is essential or no result will be declared".

(g) and (h) Five or six boys waited upon the Minister who told them that he might have been inclined to consider their case if they had expressed their willingness for re-examination, but that in view of the attitude adopted by them he could not do any thing for them. It was made clear to them that it was not possible to issue diplomas to boys who had committed an examination fraud without a proper examination.

**Lala Duni Chand :** Was any enquiry made into the question which of the students were guilty of fraud ?

**Minister :** I do not know ; I presume that an enquiry must have been made.

**Lala Duni Chand :** Is it a fact that all the students have been punished indiscriminately ?

**Minister :** No.

**Lala Duni Chand :** Were any students allowed to appear in the examination ?

**Minister :** They refused to appear at the examination.

\*843. *Cancelled.*

## REDUCTION OF TRAVELLING ALLOWANCES.

**\*844. Lala Duni Chand :** Will the Honourable Minister for Finance be pleased to state—

- (a) the total yearly amount of the allowance bills of the officers and officials of all departments of the Punjab Government ;
- (b) whether the Punjab Government proposes to take any action to reduce the said allowances ; if so, what ;
- (c) whether the Government intends to modify its rules with regard to the rates of allowances ?

**The Honourable Mr. Manohar Lal :** (a) Expenditure of travelling allowance for all departments during the year 1936-37 was Rs. 47,12,107.

(b) and (c) Government have appointed a committee to explore the possible sources of revenue and retrenchment. The rates of travelling allowance will come under the consideration of this committee. It is not proposed to take any other action at present to reduce the travelling allowance rates.

**Lala Duni Chand :** Is the Honourable Minister aware of the fact that in certain other provinces proposals have been made to cut down the allowances ?

**Minister :** I have read a great deal in the press. I do not know what the other provinces have done or propose to do.

**Lala Duni Chand :** Is the Honourable Minister in contact in any way with the Ministers of other provinces ?

**Minister :** May I attempt a *tu quoque* and say, are the Ministers of other provinces in any way in touch with me ?

**Lala Duni Chand :** Is it not the duty of the Government to see what policies the other Governments are adopting in the matter of cutting down the expenses ?

**Minister :** The question as it stands raises no question of policy at all.

**Lala Duni Chand :** Is not the Punjab Government prepared to take some help or aid in the matter from the action taken by other provinces ?

**Lala Deshbandhu Gupta :** Does the Honourable Finance Minister think that the policy the Government is adopting is correct in view of the meagre resources of our province ?

**Minister :** If the honourable member had taken the trouble to understand the answer he will see that what is stated is that a committee is examining the matter. The Government will naturally await the opinion of that committee rather than launch upon an independent approach to the question.

**Sardar Sampuran Singh :** On a point of order. Is this an answer to the question or an advice to the members ?

**Minister :** You can take it as you like.

**Sardar Sampuran Singh :** I protest very strongly against the attitude of the Minister.

**Mr. Speaker :** The question hour is over.

#### FAMINE IN GURGAON DISTRICT.

**\*845. Lala Duni Chand :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that owing to drought appalling famine conditions are at present prevailing in the district of Gurgaon ;
- (b) the steps that the Government proposes to take to afford relief to the famine-stricken area and to prevent such tragic occurrences in future ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Owing to the partial failure of the monsoon in certain tahsils of the Gurgaon district, there is considerable privation ; but it cannot be said that appalling famine conditions prevail.

(b) The district is dependent upon a good monsoon which is of course a matter outside human control. The construction of wells is, however, being encouraged. A sum of Rs. one lakh is also being distributed as taqavi under the Agriculturists Loans Act, and an additional allotment of Rs. 60,000 has been placed at the disposal of the deputy commissioner under this head. Suspensions and remissions of land revenue and local rate are being considered and will be given according to the particular circumstances of each village. Taqavi instalments will also be postponed where necessary.

#### CASES UNDER SECTION 124-A, INDIAN PENAL CODE, ETC.

**\*846. Lala Duni Chand :** Will the Honourable Premier be pleased to state—

- (a) the number of cases started under section 124-A, I. P. C., since 1st April, 1937 ;
- (b) the number of cases started under other provisions of law on the basis of speeches made by political workers ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) Under section 124-A, Indian Penal Code, against eight persons ;

(b) If the honourable member will specifically state what he means by the expression " political workers " and indicate the " provisions of law " to which he refers, I shall be glad to supply the necessary information. It might interest the honourable member and the House to know that cases were instituted against five persons under section 153-A, Indian Penal Code, during the same period.

## NUMBER OF CRIMES IN 1936.

**\*847. Lala Duni Chand :** Will the Honourable Premier be pleased to state—

- (a) the total number of crimes committed in 1936, with particular reference to the number of murders committed during this period ;
- (b) the increase, if any, in the number of crimes committed and in particular the increase, if any, in the number of murders committed as compared with that committed in the previous year ;
- (c) the reasons for this increase in the number of crimes and the steps that the Government proposes to take to reduce the number of crimes ;
- (d) the number separately of children kidnapped and the number of those restored ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a), (b) and (c) The honourable member is referred to paragraphs 2 and 4 of the printed Report on Police Administration in the Punjab for the year 1936, and the statements at the end of this report.

(d) Kidnapped 383. Restored 337. These figures relate for course to those cases only in which reports were made to the police.

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PASTEUR INSTITUTE AT KASAUJI.

**\*848. Lala Duni Chand :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that there is a proposal before the Central Committee of the Pasteur Institute of India, Kasauli, to amalgamate it with the Central Research Institute, Kasauli ;
- (b) whether the Punjab Government, which has been paying the salary of the Director of the Institute for many years and otherwise helping the Institute, has been consulted in the matter and if not, whether the Punjab Government intends to ask the said committee to consult it before the final decision is arrived at ?

**The Honourable Mian Abdul Haye :** (a) Yes.

(b) The matter has been referred to the Punjab Government and is at present under their consideration.

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PROTECTION FROM FLOODS FROM TANGARI NADI.

**\*849. Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that formerly there was provided protection in the form of dams against the inroads of floods from Tangari nadi into the village Mauhra about 4 miles from Ambala Cantonment and that these dams had been washed away prior to the last rainy season ;
- (b) whether it is a fact that repeated representations have been made by the inhabitants of the said village to the authorities concerned for putting up dams or for taking some other effective

steps to protect the village and that no action has been taken on these representations ;

- (c) whether it is a fact that in a rural conference held recently in the said village a resolution was passed drawing the attention of the authorities to the above state of affairs ;
- (d) whether it is a fact that as a result of the disappearance of the dams even in the event of ordinary rains the land lying about the village and also the streets become flooded reducing the village to the position of an island and making it impossible for human beings and cattle to get out of the village ;
- (e) whether it is a fact that in the last rainy season the whole village was flooded with the result that a number of houses collapsed and a number of cattle perished ; if so, when and what action is proposed to be taken in the matter ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) Yes. Bunds are said to have been built by the East Indian Railway Company at the time of construction of the Delhi-Ambala-Kalka Railway, on west of the line touching Mauhra village and before its transfer to North-Western Railway. The construction was probably done to protect the railway line from flood-water and this incidentally provided protection to the villagers. A breach in one of the above-mentioned bunds has occurred probably prior to the last rainy season.

(b) Only one representation dated the 18th September, 1937, reached the Deputy Commissioner, Ambala, stating that 3 or 4 bunds constructed by railway authorities to protect the railway line and village Mauhra had been neglected by the North-Western Railway (now in charge of the line), and require immediate repairs. The deputy commissioner referred the matter to the Divisional Superintendent, North-Western Railway, Delhi, for necessary action but that officer replied that no bunds appeared to have been constructed by the North-Western Railway. The District Board, Ambala, was therefore, requested to have the breached bunds repaired.

(c) Government is not aware of the said rural conference and of the resolution passed therein.

(d) Yes, the flood water surrounds the village at times of heavy rains but not to the extent to make it impassable for human beings and cattle.

(e) Yes, some damage was done to a number of houses but no loss of cattle was reported. The sufferers were compensated from the Flood Relief Fund.

For the future protection of the village, proposals are being invited from local officers and on receipt of their replies it will be considered what action Government should take in the matter.

#### LEVEL CROSSING NEAR VILLAGE MAUHRA.

**\*350. Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state whether it is a fact that in the absence of a level crossing near village Mauhra in the Ambala district the inhabitants of that village suffer great hardships ; if so, whether he intends moving the railway authorities to do the needful in the matter to ensure free passage from and to the said village during rainy seasons ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** Yes, it is a fact that in the absence of a level crossing near village Mauhra in the Ambala district the inhabitants of that village suffer great hardship. The railway authorities were moved in the matter but they have declined to construct a level crossing at railway expense. The subject is still under the consideration of local officers.

#### OVERFLOW OF TANGARI NADI.

**\*851. Lala Duni Chand :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that as a result of recent overflow of Tangari nadi the lands of villages Dokheri, Mauhare, etc., district Ambala, became flooded with the result that the standing crops were destroyed and the lands of these villages damaged ;
- (b) whether it is also a fact that for the same reason Ambala Cantonment also became flooded and damage done to the property in that locality ;
- (c) if the answers to (a) and (b) are in the affirmative, what action Government intend to take in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** It is regretted that the requisite information is not yet ready.

#### SUPPLY OF WATER TO AMBALA CITY.

**\*852. Lala Duni Chand :** With reference to my question No. 23 (starred) put on 17th June, 1937, and the reply thereto, will the Honourable Minister for Education be pleased to state what further progress has since been made in the matter of giving adequate supply of water to the Ambala city ?

**The Honourable Mian Abdul Haye :** A shallow tube-well has since been sunk at Handesra Headworks and developed to yield 3,000 gallons per hour. Another tube-well has also been sunk there and will be developed shortly when requisite funds are placed by the Municipal Committee, Ambala, at the disposal of the Superintending Engineer, Public Health Circle, Punjab. These two tube-wells will relieve the situation to some extent but a pumping plant is yet to be provided by the committee for these tube-wells. Government have sanctioned Rs. 5,000 for exploring further the source of water supply by a few more trial borings, which amount was allotted in August last to the Municipal Committee, Ambala, for payment by transfer credit to the Superintending Engineer, Public Health Circle, Punjab.

**\*853.—Cancelled.**

#### RECRUITMENT FOR PROVINCIAL CIVIL MEDICAL SERVICE.

**\*854. Lala Duni Chand :** Will the Honourable Minister for Education be pleased to state —

- (a) the number of M.B., B.S.'s and also the number of candidates with European qualifications recruited for the Provincial Civil Medical Service during the last five years commencing from 1932 to 1937 ;

- (b) the order of merit of each M.B., B.S. selected for service according to the results of the examination held by the University ;
- (c) whether it is a fact that barring very few cases those selected held very low positions in the examination as compared with those who have been rejected ;
- (d) the considerations that have led the authorities concerned to make such a selection ?

**The Honourable Mian Abdul Haye :** (a) and (b) A statement is laid on the table.

(c) No.

(d) Various facts other than academic qualifications are taken into consideration while making a selection such as communal proportion, intelligence and suitability of the candidate, adequate representation of backward classes and areas. The selections were made on the recommendations of the Permanent Board of Selection for the P.C.M.S. appointed by this Government which consisted of the Inspector-General of Civil Hospitals, Punjab and the Principal, King-Edward Medical College, Lahore (*ex-officio* members) and four non-official members of the Punjab Legislative Council.

*Statement showing the number of M.B., B.S.'s and also the number of candidates with European qualifications recruited for the P.C.M.S. during the last five years commencing from 1932 to 1937 as also showing the order of merit of each M.B., B.S., selected for service according to the results of the examinations held by the University.*

Year.	Total number recruited.	Number of candidates holding M.B., B.S. qualification.	Number of candidates recruited with European qualifications in addition to M.B., B.S.	Order of merit in the final M.B., B.S. examination of each candidate.
1	2	3	4	5
1932 .. ..	9	9	9	28/29, 13/40, 21/29 43/47, 26/40, 6/41, 22/40, 36/54 and 34/36
1933 .. ..	1	1	..	1/32.
1934 .. ..	6	6	..	16/36, 19/36, 16/43, 3/32, 4/21, and 6/32.
1935 .. ..	10	10	2	20/32, 7/36, 1/36, 2/36, 8/40, 13/40, 24/29, 3/47, 4/32, and 12/32.
1936 .. ..	7	7	1	27/38, 25/32, 4/32, 17/40, 9/34, 17/36, and 34/40.
1937 .. ..	11	11	1	4/41, 26/36, 1/40, 13/32, 6/35, 18/32, 11/35, 27/33, 1/33, 18/33 and 20/34.

## SELECTION OF CANDIDATES FOR FIRST YEAR M.B., B.S.

**\*855. Lala Duni Chand :** Will the Honourable Minister for Education be pleased to state—

- (a) the number of candidates selected for the first year M.B., B.S. class this year ;
- (b) the number separately of candidates selected who were B.Sc. and who were F.Sc. ;
- (c) the number of B.Sc. candidates who have been rejected ;
- (d) whether it is a fact that some F.Sc. candidates who passed the F.Sc. examination in the second division have been taken while some of the B.Sc. who passed in the second division have been rejected ; if so, why ;
- (e) whether the Government is prepared to make any changes in the method of selecting candidates for the first year class in future ; and if so, what ?

**The Honourable Mian Abdul Haye :** (a) Altogether 88 students have been admitted this year as shown below :—

- (i) Five nominated by the North-West Frontier Province Government.
- (ii) Five nominated by the Punjab States.
- (iii) Three nominated by the Punjab Government.
- (iv) Three nominated by the Delhi Administration.
- (v) One nominated by the Baluchistan Administration.
- (vi) Ten women students.
- (vii) Three from amongst the sons of medical men.
- (viii) Fifty-eight selected in order of merit from the Punjab and Kashmir State candidates and communitywise.
- (b) Of the 58 candidates selected by competition from among the Punjab and Kashmir State students, 28 were B.Sc., 30 F.Sc. (1st and 2nd class).
- (c) Fifty-four.
- (d) No F.Sc. 2nd class candidate of any community has been selected for admission to the college in preference to B.Sc. candidate of the same community, who passed in 2nd division. A copy of statement which explains the position clearly is laid on the table.
- (e) Selection of candidates for admission to the college is made strictly in order of merit and communitywise whereby sufficient representation for each community is provided. The merit is judged by the number of marks gained by the candidates in the F.Sc. and B.Sc. examined in the compulsory subjects of English and Science only. As the existing method is sound and free from ambiguity, no change is considered necessary.

## Statement.

Community.	APPLICANTS.						APPLICANTS SELECTED.					
	B. Sc.		F. Sc.			Total.	B. Sc.		F. Sc.			Total.
	Second class.	Third class.	First class.	Second class.	Third class.		Second class.	Third class.	First class.	Second class.	Third class.	
1	2	3	4	5	6	7	8	9	10	11	12	13
Muslims .. ..	2	5	1	22	37	67	2	5	1	15	..	23
Hindus .. ..	27	32	12	43	30	144	10	..	12	..	..	22
Sikhs .. ..	4*	11	1	19	12	47	3	7	1	..	..	11
Indian Christians .. ..	1	..	..	2	..	3	1	..	..	..	..	1
Parsi .. ..	..	..	..	1	..	1	..	..	..	1	..	1
Total .. ..	34	48	14	87	79	262	18	12	14	16	..	58

\*NOTE.—A 2nd class B.Sc. Sikh candidate was refused admission because he was a resident of Saharanpur (U. P.)

SELECTION OF CANDIDATES FOR THE PUNJAB CIVIL SERVICE  
(EXECUTIVE BRANCH).

**\*856. Lala Duni Chand :** Will the Honourable Premier be pleased to state—

- the number of candidates selected during the last five years, from 1932 to 1937, as a result of competitive examinations held in each year for Provincial Executive Service ;
- whether it is a fact that besides the first three or four candidates taken according to the order of merit good many more have been taken in each year regardless of their order of merit in the competitive examinations ;
- the considerations that have led to the recruitment of candidates mentioned in (b) above ;
- whether the Government intends to make any changes in the method of recruitment for the above service in future ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) No examination for recruitment to the Punjab Civil Service (Executive Branch) was held in 1932. Since 1933, 17 candidates have been accepted as a result of the competitive examinations held during the years 1933, 1934, 1935 and 1936. It is also proposed to accept four more candidates this year as a result of the competitive examination held in October last.

[Premier.]

(b) No. The honourable member is, however, referred to rule 13 of the Punjab Civil Service (Executive Branch) Rules, 1930. Under this rule the names of persons, who qualify in the Indian Civil Service and Punjab Civil Service (Executive Branch) Competitive Examinations but do not receive appointments, are considered for direct recruitment to the Punjab Civil Service.

(c) Does not arise.

(d) Not at present.

#### PUNJAB GOVERNMENT QUOTA FOR INDIAN MEDICAL SERVICE.

**\*857. Lala Duni Chand :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that the Punjab Government is bound to take only 17 men of Indian Medical Service into the medical service of the province while nearly twice the prescribed number is now serving in the Punjab on the civil medical side ;
- (b) the aggregate amount of salaries and allowances paid yearly to the Indian Medical Service men employed in the Punjab ;
- (c) the number of Indian Medical Service men who possess diplomas of M.R.C.P., F.R.C.P., or any other degree of any special value ;
- (d) whether it is a fact that the qualifications possessed by the majority of Indian Medical Service men are by no means superior to the qualifications of M.B., B.S. and in some cases are even inferior ;
- (e) the number of M.B., B.Ss. employed in the Punjab and the aggregate amount of salaries and allowances paid to them yearly ;
- (f) whether there is any proposal before the Punjab Government to extend the scope of medical service and aid in rural areas by reducing the Indian Medical Service men to the prescribed number in the Punjab and engaging M.B., B.S. and others for serving the rural areas ?

**The Honourable Mian Abdul Haye :** (a) Under the reorganisation scheme approved by the Secretary of State and the Government of India, the Punjab Government are obliged to employ 17 Indian Medical Service Officers. Under the old rules 21 posts were reserved absolutely for Indian Medical Service officers and in addition Indian Medical Service officers who were in permanent Civil employ in the Punjab on 10th May, 1928, were given prior rights to 12 other posts. The number of Indian Medical Service officers in the Punjab now is 34. The rules embodying the new reorganisation have not yet been received.

(b) Rs. 4,48,810 as provided in the medical budget for 1937-38.

(c) The number of officers holding higher qualifications is—

M.D.	..	..	..	..	2
F.R.C.P.E.	..	..	..	..	1
M.R.C.P. (Lon.)	..	..	..	..	2
F.R.C.S.	..	..	..	..	4
F.R.C.S.E.	..	..	..	..	3
M.D., F.R.C.S.	..	..	..	..	1
M.D., M.R.C.P.	..	..	..	..	1

(d) It is difficult to assess the relative value of the degree of M.B., B.S., of the Punjab University and the British Diplomas recognised by the General Medical Council of Great Britain. The majority of Indian Medical Service officers in civil employ in the Punjab possess degrees.

(e) One hundred and forty-six persons holding the M.B., B.S. degree are employed in the Punjab. The aggregate amount paid to them yearly on account of salaries is Rs. 6,61,896.

(f) This can be considered at the time of the retirement of the present Indian Medical Service officers.

### UNSTARRED QUESTIONS AND ANSWERS.

#### CIVIL AND VETERINARY RURAL HOSPITALS IN MONTGOMERY DISTRICT.

**188. Mahant Girdhari Dass :** Will the Honourable Minister for Education be pleased to state—

- the number of civil and veterinary rural hospitals respectively in the Montgomery district and the total expenditure incurred thereon in each tahsil of the district ;
- whether it is a fact that the number of the abovementioned hospitals has been found to be too small to meet the requirements of the public of the said district ; if so, the action that the Government propose to take in the matter ?

**The Honourable Mian Abdul Haye :** (a) There are in all 37 civil and 20 veterinary hospitals and dispensaries in the Montgomery district, of which 25 civil and 15 veterinary are in rural areas. A statement showing the total expenditure incurred on these institutions in each tahsil of the district is laid down on the table.

(b) No. The number of existing civil and veterinary hospitals and dispensaries in the Montgomery district is considered adequate to meet the requirements of the public according to the standards at present followed.

[Minister for Education.]

*Statement.*

Name of tahsil.	Expenditure incurred on civil hospitals and dispensaries in each tahsil.	Expenditure incurred on veterinary hospitals and dispensaries in each tahsil.
1	2	3
	Rs.	Rs.
Montgomery .. .. .	47,182	6,688
Dipalpur .. .. .	25,086	5,716
Okara .. .. .	24,523	4,316
Pakpattan .. .. .	29,587	6,144

WORKING OF AGRICULTURAL DEPARTMENT IN DIPALPUR AND  
PAKPATTAN TAHSILS.

**189. Mahant Girdhari Dass :** Will the Honourable Minister for Development be pleased to state the amount of expenditure incurred by the Government on the work of the Agricultural Department in tahsils Dipalpur and Pakpattan and the nature and extent of the work done in the two above-mentioned tahsils during the last three years ?

**The Honourable Chaudhri Sir Chhotu Ram :** It is not possible to state exactly what expenditure has been incurred in the Agricultural Department in the Dipalpur and Pakpattan tahsils. The expenditure incurred during each of the last three years in each of these tahsils on the pay and travelling allowance of the local staff, contingencies, rent, etc., is shown in statement I, but this cannot be regarded as the total expenditure. In addition, the Agricultural Department distributed improved seeds in these tahsils to the extent shown in statement II and incurred a loss of Rs. 10,740.

The nature of the work done apart from the spread of improved seeds consisted of such items as the introduction and use of improved methods and implements of cultivation, the control of insects and fungal pests of crops, the adoption of methods by which the return which the cultivator obtains from his land, can be increased, etc.

*Statement No. I.*

Year.	Dipalpur Tahsil.	Pakpattan Tahsil.
1	2	3
	Rs.	Rs.
1934-35 .. .. .	2,703	5,709
1935-36 .. .. .	2,938	6,440
1936-37 .. .. .	3,404	6,534

## Statement No. II.

Year.	Tahsil.	Wheat seed.	Cotton seed.
1	2	3	4
		Mds.	Mds.
1934-35 .. ..	Dipalpur ..	1,400	930
1935-36 .. ..	Do. ..	3,500	1,200
1936-37 .. ..	Do. ..	4,200	2,522
1934-35 .. ..	Pakpattan ..	2,230	1,780
1935-36 .. ..	Do. ..	1,800	1,990
1936-37 .. ..	Do. ..	3,464	2,308

190-91.—Cancelled.

## GIRLS SCHOOL AT RUPAR.

**192. Sufi Abdul Hamid Khan :** Will the Honourable Minister for Education be pleased to state—

- whether it is a fact that there is no Government girls' school, middle or high in the whole of the Rupar Sub-Division ;
- whether it is a fact that a demand for opening a girls' school at Rupar has repeatedly been made by the Rupar public and that there has been a proposal before Government for some years to open a girls' school there ;
- whether it is a fact that the Municipal Committee, Rupar, also passed a resolution regarding the same subject some time ago ; if so, the action taken on it ;
- whether it is a fact that the need of opening a girls' school at Rupar was brought to the notice of the Honourable Minister of Education during his Kasauli tour in last August and Director of Public Instruction during his Rupar tour in September, 1936 ; if so, the action taken in the matter ?

**The Honourable Mian Abdul Haye :** (a) Yes.

(b) and (c) Attention of the honourable member is invited to the reply to question No. 65<sup>1</sup> asked by Pandit Shri Ram Sharma, in the last session of the Assembly. The opening of a Government Vernacular Middle School for Girls at Rupar is under consideration.

(d) There is no record of a written representation having been made to Director of Public Instruction or myself nor do I remember if the matter was mentioned to me orally, at Kasauli, by any body.

<sup>1</sup>Vol. I, page 371.

LALA ISHAR DASS OF GARHDEWALA.

**193. Sardar Hari Singh :** Will the Honourable Premier be pleased to state whether it is a fact that the police has recently got prepared plans of the house and other buildings of Lala Ishar Dass of Garhdewala, thana Tanda, district Hoshiarpur, the venue of the 22nd Session of the Punjab Provincial Political Conference ; if so, the reasons and purposes for which this action has been taken ?

**The Honourable Major Sir Sikander Hyat-Khan :** *First part.*—  
No.

*Second part.*—Does not arise.

HONOURABLE FINANCE MINISTER'S VISIT TO LAHORE CENTRAL JAIL.

**194. Shrimati Raghubir Kaur :** Will the Honourable Finance Minister be pleased to state—

- (a) whether it is a fact that he paid a visit to the Lahore Central Jail on the 20th ultimo ;
- (b) whether the Honourable Minister interviewed any of the political prisoners during his visit with a view to finding out their grievances ; if so, whether the Government are prepared to place the details of those interviews on the table of the House ?

**The Honourable Mr. Manohar Lal :** (a) I did visit the Lahore Central Jail on the 21st October, 1937.

(b) Many prisoners were given a full opportunity of representing their cases but it is regretted that details cannot be placed before the House.

CONVICTS SENTENCED TO TRANSPORTATION FOR LIFE.

**195. Shrimati Raghubir Kaur :** Will the Honourable Finance Minister be pleased to state—

- (a) whether it is a fact that before the year 1926 transportation for life meant fourteen years of imprisonment ;
- (b) whether it is a fact that in accordance with the new practice there are life convicts who have been in jail for the last 20 years and more and have not yet been released ;
- (c) the reasons, if any, which prompted this change ;
- (d) whether Government intends to revert to the former practice ?

**The Honourable Mr. Manohar Lal :** I regret that the answer to this question is not ready.

COSTS OF ADDITIONAL POLICE POST AT VILLAGE NARWAR.

**196. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

- (a) whether any inquiry was made by the Government as to the actual expenses of the additional police post located at village Narwar, district Lahore, referred to in starred question

No. 395<sup>1</sup> put in the last Assembly Session on 13th July, 1937, before waiving off Rs. 728-10-0 due from the inhabitants of the said village on account of the arrears of the additional police post costs; if so, the date of the commencement as also of completion of the same;

- (b) if the answer to (a) be in the affirmative, the amount spent by the Government for maintaining the aforesaid police post up to the date on which decision to waive off the arrears was arrived at?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) The facts being already known—the essential figures were given to the House in the Simla session—there was no occasion for any special enquiry.

- (b) Does not arise.

#### BRIDGE NEAR MANHALA CANAL BUNGALOW.

**197. Dr. Sant Ram Seth :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether S. Sajjan Singh and other agriculturists of village Makhi Khurd, tahsil Kasur, district Lahore, submitted an application to him on the 29th October, 1937, wherein they complained that the hindrance caused by the road bridge near Manhala canal bungalow to the free passage of the canal water is detrimental for irrigation purposes and that the bridge be built anew;
- (b) if the answer to (a) be in the affirmative, whether any inquiry has been made by the Government; if so, the action they intend to take in this matter?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) Yes.

- (b) An enquiry has been made and it has been decided to widen the narrow portion of the road bridge so as to permit the free passage of canal water.

#### COSTS OF THE ADDITIONAL POLICE POST AT VILLAGE HARDO SAHARI.

**198. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

- (a) whether any inquiry was made by the Government as to the amount actually spent on maintaining the additional police post at village Hardo Sahari, district Lahore, referred to in starred<sup>2</sup> question No. 395 during the last Session of the Assembly on 13th July, 1937, before waiving off Rs. 356-15-8 due from the inhabitants of the aforesaid village on account of the police post costs;

<sup>1</sup> Vol. I, page 1373.

<sup>2</sup> Vol. I, page 1373.

[Dr. Sant Ram Seth.]

(b) if the answer to (a) above be in the affirmative, (i) when this inquiry was made, (ii) and on what date the decision to waive off the arrears was arrived at ;

(c) the actual amount spent by the Government for maintaining the said police post ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) The facts being already known—the essential figures were given to the House in the Simla session—there was no occasion for any special inquiry.

(b) Does not arise.

(c) The honourable member is invited to refer to the replies given to his questions \*30<sup>1</sup> and \*329<sup>2</sup> in the last session.

#### ADDITIONAL POLICE POSTS AT VILLAGES BUREWALA AND MAR BALOCHAN.

**199. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to lay on the table a statement showing—

(a) the amount actually spent by the Government for maintaining additional police posts at villages Burewala and Mar Balochan in Sheikhpura district ;

(b) the amount shown as arrears of costs of each of these police posts by the end of September, 1937 ;

(c) whether any inquiry was made by the responsible police officers about the actual expenditure of these police posts before requesting the District Magistrate, Sheikhpura, to realize the unrecovered portion of the Government demand ; if so, the date of the inquiry with its result ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) The honourable member is invited to refer to the reply given to<sup>3</sup> question 81, put by the honourable member for the Lahore City (General) Urban Constituency in the Simla session. As was explained in replies to other questions in that session, it is never possible to reckon the "actual costs" of a body of additional police with exactitude, as certain items in the bill (for example, charges for superintendence, the cost of the men's preliminary training, the cost of armament and interest charges during the period of recovery) cannot be precisely determined. Excluding these the outgoings on these two posts were—

	Rs.	A.	P.
Burewala .. .. .	8,140	7	6
Marh Balochan (Sheikhpura District) with Chak 19-J. B. (Lyallpur) .. .. .	14,221	2	3
(b) Burewala .. .. .	5,473	1	5
Marh Balochan and Chak 19-J.B. .. .. .	10,520	15	3

<sup>1</sup>Vol. I, pages 265-66.

<sup>2</sup>Vol. I, pages 1063-64.

<sup>3</sup>Vol. I, page 357.

(c) The expenditure is incurred under the personal supervision of the Superintendent of Police, and no occasion arises for an enquiry by another officer.

**ARREARS OF THE COST OF ADDITIONAL POLICE POSTS IN DISTRICT  
FEROZEPUR.**

**200. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to lay on the table a statement showing the arrears of the cost of the additional police post due from the various villages in Ferozepore district till the end of September, 1937 ?

**The Honourable Major Sir Sikander Hyat-Khan :** I regret that the answer to this question is not ready.

**POLICE POST COSTS RECOVERED FROM VILLAGE DHARDEV.**

**201. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to lay on the table a statement showing—

- (a) the amount recovered in each month from March, 1936 and March 1937 from the inhabitants of village Dhardev, district Amritsar, on account of costs of the police post quartered there in February, 1936 ;
- (b) the details of the amount of Rs. 216 spent by the Government in the month of September, 1936, shown as contingency charges of this police post ;
- (c) the full details of the amount of Rs. 915 spent by the Government on account of clothing allowance and equipment charges of this police post as laid down in the statement published in the Assembly Proceedings, page 596 of Volume I, No. 11 ?

**The Honourable Major Sir Sikander Hyat-Khan :** A statement is attached.

*Statement.*

(a)					Rs.	A.	P.
March 1936 ..	..	..	..	..	Nil.		
April 1936 ..	..	..	..	..	Nil.		
May 1936 ..	..	..	..	..	Nil.		
June 1936 ..	..	..	..	..	Nil.		
July 1936 ..	..	..	..	..	1,520	0	0
August 1936 ..	..	..	..	..	575	0	0
September 1936	..	..	..	..	1,188	4	6
October 1936	..	..	..	..	216	11	6
December 1936	..	..	..	..	320	0	0
January 1937	..	..	..	..	550	0	0
February 1937	..	..	..	..	2,520	8	0
March 1937 ..	..	..	..	..	109	8	0
Total ..				..	7,000	0	0

[Premier.]

(b) The detail is—

	Rs.	A.	P.
Rent of building paid to Balwant Singh from March to September 1936 at Rs. 30 per mensem ..	210	0	0
Allowance to Sweeper and Bhishti for September 1936 ..	6	0	0
Total ..	216	0	0

(c) The detail is—

	Rs.	A.	P.
Initial grant of clothing for 1 Assistant Sub-Inspector ..	200	0	0
Initial grant of clothing for 13 lower subordinates at Rs. 15 ..	195	0	0
Initial grant of equipment for 13 lower subordinates at Rs. 5 ..	65	0	0
Beds and boxes for 13 lower subordinates at Rs. 15 ..	195	0	0
Annual clothing allowance of 13 lower subordinates at Rs. 15 ..	195	0	0
Annual equipment allowance of 13 lower subordinates at Rs. 5 ..	65	0	0
Total ..	915	0	0

#### ADDITIONAL POLICE POSTS IN FEROZEPORE DISTRICT.

**202. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to lay on the table a statement showing—

- (a) the names of the villages of Ferozepore district in which additional police posts were quartered under section 15 of the General Police Act between 18th January, 1928 and 30th June, 1937 ;
- (b) the dates on which they were quartered and withdrawn in each village ;
- (c) the estimated cost of each of these posts imposed upon each of these villages ;
- (d) the total recoveries made from each village till the 30th September, 1937 ;
- (e) (i) the date when the recoveries were completed ;
- (ii) in cases where there are arrears the dates when the last recoveries were made ;
- (f) the amount actually spent by Government for maintaining each of the aforesaid police posts ;
- (g) the amount spent by the Government for purchasing horses and furniture for each of these police posts ;
- (h) sanctioned strength of each post ?

**The Honourable Major Sir Sikander Hyat-Khan :** I regret that the answer to this question is not ready.

## ADDITIONAL POLICE POSTS IN HOSHIARPUR DISTRICT.

**203. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to lay on the table a statement showing—

- (a) the names of the villages in which additional police posts were located in Hoshiarpur district between 18th January, 1922 and 15th March, 1931 ;
- (b) the amount recovered from each of these villages as cost of the additional police posts ;
- (c) the amount spent by the Government for maintaining each of these police posts ;
- (d) the sanctioned strength of each of these police posts ;
- (e) the amount spent by the Government for purchasing horses and furniture for each of these police posts ;
- (f) the estimated costs precisely reckoned and sanctioned by the Government for each of these police posts ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a), (b), (d), (e) and (f) A statement is attached.

(c) As was explained in the replies to several questions last summer, it is never possible to give the " actual costs " of a body of additional police, as certain items in the bill (for example, charges on account of Superintendence the cost of training the men employed, the armament charges of the force, and interest charges during the period of recovery) cannot be precisely calculated.

[Premier.]

*Additional Police in the Hoshiarpur District*

Serial No.	Village or villages.	PERIOD OF LOCATION.		Sub-Inspectors.	Assistant Sub-Inspectors.
		From	To		
1	2	3	4	5	6
1	Pandori Bibi, Dhakowal, Tunuli, Harkhowal and Marusian.	1-6-1922	30-11-1924	1	..
2	Bilaspur Bajwara ..	1-6-1922	23-11-1924	..	..
3	Garhdiwala Rupowal, Ramdaspur and Ambala.	12-7-1922	30-9-1923	1	..
4	Kandala Jattan, Baich, Shahbazpur, Khakh and Basi Jalal.	12-7-1922	11-7-1923	..	..
5	Kot Fatuhi, Gondpur, Sarhala Khurd, Badon, Dhada Kelan, Dihana and Paldi.	10-8-1922	30-9-1925	1	..
6	Pakhowal, Chauhra, Kukar Mazara, Miranwali, Rurki Khas, Chahalpur and Wahidpur.	10-8-1922	31-3-1925	1	..
7	Bahbalpur ..	1-1-1924	31-3-1925	..	..
8	Dadial, Biran, Jassowal and Dansiwal.	1-1-1924	31-3-1925	..	..
9	Wahidpur ..	1-4-1927	31-3-1928	..	..
10	Kharar Rawal Basi ..	1-3-1930	28-2-1931	..	..

between 1922 and 1931.

SANCTIONED STRENGTH.					REMARKS.
Head Constables.	Foot Constables.	Cost of post.	Actually recovered.	Amount spent on the purchase of horses and furniture.	
7	8	9	10	11	
		Rs. A. P.	Rs. A. P.	Rs. A. P.	
2	15	19,889 13 0	19,878 4 0	41 0 0	
1	6	7,330 9 11	7,700 13 7	6 0 0	
1	10	6,055 2 0	6,055 2 0	..	Information is not available.
2	20	8,774 4 0	8,774 4 0	..	Information is not available.
3	30	36,508 12 0	36,508 12 0	3 0 0	
2	25	29,718 10 6	29,718 10 6	6 0 0	
1	8	5,244 0 5	5,244 0 5	..	
2	15	7,165 0 11	7,165 0 11	..	
1	4	2,244 12 9	2,244 12 9	4 12 0	
1	4 including one special grade Foot Constable.	2,031 3 0	2,031 3 0	..	

**AMOUNT WAIVED OFF OUT OF THE COST OF ADDITIONAL POLICE POSTS  
IN LAHORE DISTRICT.**

**204. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to lay on the table a statement showing the amount waived by the Government in 1936 and 1937 due from the various villages in Lahore district on account of the cost of additional police posts ?

**The Honourable Major Sir Sikander Hyat-Khan :** A sum of Rs. 26,222-8-0 was waived by Government. A statement giving details is appended.

*Statement.*

Name of villages.					Amounts waived.		
1					2		
					Rs. A. P.		
Dal, Daleri and Kalsian	..	..	..	..	152	1	2
Chima, Asal Autar, Rattoke	..	..	..	..	4,635	6	0
Sur Singh	..	..	..	..	7,920	4	6
Rajoki and Wan	..	..	..	..	6,372	4	6
Bhikiwind, Bainke and Blair	..	..	..	..	5,085	15	6
Hudiara	..	..	..	..	627	2	3
Narwar	..	..	..	..	628	10	0
Manga and Thara	..	..	..	..	9	5	0
Narli	..	..	..	..	45	4	0
Chima and Dubli	..	..	..	..	388	14	5
Hardo Sahari	..	..	..	..	356	15	8
Total					26,222	3	0

**REFERENCE TO LATE MR. AHMAD BAKHSH KHAN.**

**Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majithia):** Sir, I have to bring to the notice of this House

12 Noon.

the sad event of the death of one of our colleagues, which took place probably yesterday, in the person of Mr. Ahmad Bakhsh Khan, who was representing the constituency of labour. Being himself a zamindar he was returned as a labour member of this Assembly. He was a Barrister-at-Law of standing and had great sympathy with people and with the labour class in particular. It is a sad event that we are losing such useful members who have done a good deal in carrying on the work in this House and he was

also a very great friend who was always available to give us the best advice.

The last service that this gentleman performed was his membership of the Forest Committee, which is presided over by Mr. Garbett and during that interval he had done a good deal of touring about in the district for making enquiries. He was a friend and member of this House, who was so well-known for his generosity, for his goodwill and for all the good qualities that he possessed. With your permission and on behalf of this House I propose that the condolence of this House and their sympathies with the members of the deceased family may be conveyed in due form.

**Dr. Gopi Chand Bhargava :** Sir, I rise on my behalf as well as on behalf of this side of the House to support the condolence resolution moved by the Honourable Leader of the House. I, for the past few months, had personal relations with the deceased honourable member and I duly endorse the qualities which have been described by the Honourable Leader of the House. I also know that besides his efforts to improve the condition of the labour, he was very anxious to promote and spread feelings of nationalism in his own district as well as in the province. Whenever any matter has arisen where there was a difference of opinion, he always tried to bring about a settlement and he wanted nationalism to spread in this province. With these words I beg to support the resolution.

**Mr. Speaker :** Is it the pleasure of the House that a message of sympathy and condolence be sent to the members of the bereaved family of the deceased ? (*Honourable members :* Yes, yes.)

#### ADJOURNMENT MOTIONS.

**Mr. Speaker :** I have got in my hand notices of 20 adjournment motions. I will take them one by one and decide whether any and if so which of them is in order.

#### PLUNDER OF RICE BY MUSSALIS.

**Lala Duni Chand** (Ambala and Simla, General, Rural) : Sir, my adjournment motion should be allowed for reasons.....

**Mr. Speaker :** The honourable member will please satisfy me on one point. He has said "hordes of Mussalis" and "certain police officials, lambardars, zaildars and sutedposhes." This is clearly indefinite. Therefore, I am inclined to rule the motion out of order unless the honourable member satisfies me on the point.

**Lala Duni Chand :** The question is only whether it is definite, whether it is of public importance and whether it is urgent. As regards the defects pointed out, it would not be possible for me to name the police officials or lambardars or zaildars. It would have been unnecessary for me to say that particular police officials, lambardars and zaildars of a certain police station are supposed to connive at the plunder that is being carried on by large number of Mussalies. Perhaps I would have been out of order, if I had mentioned particular names. The point is that there is a definite statement to the effect that a large number of Mussalis visited this part of the Sheikhpura

[L. Duni Chand.]

district in Sidhanwali Thana in the months of October and November and plunder heaps of rice that are to be harvested and to be stored in houses. In fact rules require that I should not disclose names of anybody about whom certain serious statements have been made in the adjournment motion or in any way. It is a question that will be enquired into as to how these police officials, lambardars and zaildars, etc., are concerned in the matter. So long as an enquiry is not held it is not possible for me to give particular names. Then there is another thing. We say that there is a large number of lambardars, etc., who are directly or indirectly a party to this plunder that went on in the course of the two months. I am not aware of any rules which lay down that I should mention or disclose particular names of police officials or of lambardars, zaildars, and sufedposhes, who, according to my information are a party to this plunder. I, therefore, submit that it is nowhere laid down that I should do what the Honourable Speaker wants me to do or expects me to do.

**Mr. Speaker :** I expect nothing.

**Mir Maqbool Mahmood** (Parliamentary Secretary) : Mr. Speaker, as you have already indicated, my first objection to the honourable member's adjournment motion is that it is not definite. My second submission is that the honourable mover of the motion sent a letter about this affair to the Deputy Commissioner of the district concerned, who made enquiries and found that there was nothing in this. Thirdly, in connection with the plunder of the rice in that area by one Mussali, there has been a case of murder of a Mussali which is pending in a court of law and which is *sub-judice*, so I will not refer to that matter.

**Mr. Speaker :** The honourable member says ; "heaps of rice were plundered by hordes of Mussalis with the connivance of so and so." Is the responsibility of Government involved ? I think it is not involved and, therefore, I decline to give my consent to the adjournment motion.

#### RELIEF TO PEASANTS OF CERTAIN VILLAGES IN TAHSIL TARN TARAN.

**Sardar Sohan Singh Josh** (Amritsar North, Sikh, Rural) (*Punjabi*) : Sir, I have given notice that leave be given to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the failure of the Government to give relief to the peasants of Chhichhrianwali, Muse Khurd, Chak Sikandar, Padhari Khurd, Serai Diwana, Shaikh and Jhamke villages in the tahsil Tarn Taran, district Amritsar on account of great damage done to their crops of paddy, cotton, maize and toria and exacting full revenue from them.

**Mr. Speaker :** I would request the honourable member to satisfy me about three things —

- (i) that the matter is definite,
- (ii) that it is recent, and
- (iii) that it is urgent.

**Sardar Sohan Singh Josh** (*Punjabi*) : It occurred three months ago and complaints were made to that effect.

**Mr. Speaker :** Is Government responsible for hailstorms ?

**Sardar Sohan Singh Josh (Punjabi) :** It is a matter of recent occurrence. It is only three months ago that owing to a terrible hailstorm great damage was done to the crops especially of paddy, cotton, maize and toria in the district of Amritsar. But it is a great pity that the Government has failed to give any relief to the poor peasants, and it has exacted full revenue from them.

**Lala Bhim Sen Sachar :** May I just remind you, Mr. Speaker, that we had an adjournment motion on a matter of this type sometime ago in this Assembly. It was an adjournment motion of this type and related to hailstorm. The question then raised was that the Government had not discharged its duty properly in the matter of giving relief to persons who suffered as a result of hailstorms.

**Dr. Gopi Chand Bhargava :** May I invite your attention to the fact that the adjournment motion talks of the failure of the Government to give relief to those people who were affected by hailstorms and then for exacting full revenue from them ?

**Mr. Speaker :** Is it the legal duty of the Government to compensate these men for damage done to their crops ?

**Dr. Gopi Chand Bhargava :** It is always the duty of the Government to give relief to the peasants when they need it.

**Minister for Revenue :** Has not that been given already ? We have already done our best in this matter.

**Sardar Sohan Singh Josh (Punjabi) :** The poor villagers made several representations in this respect to the Government and as a consequence thereof certain officers visited the affected area. But in spite of all this the Government has done nothing for the amelioration of their conditions. Sir, the inhabitants of those villages have suffered much. They have lost everything. They are in a miserable plight. It is for this reason that I wish to move this adjournment motion.

**Mr. Speaker :** My attention has been invited to the following motion which was moved by Chaudhri Kartar Singh on 9th April, 1937 :—

“ that the business of the Assembly be adjourned for the purpose of discussing a definite matter of urgent public importance, namely, the position of the agriculturists of the province as a result of the recent disastrous hailstorm.”

But the present motion goes farther than that. It says that they should be compensated and that the Government has failed to compensate them.

**Dr. Gopi Chand Bhargava :** And have exacted full revenue from them.

**Sardar Sampuran Singh :** This motion is more comprehensive. It includes the matter that was brought before the House by Chaudhri Kartar Singh.

**Munshi Hari Lal :** In this case not only the failure of the Government to give relief is pointed out in the motion—

**Mr. Speaker :** Order, order. Only the mover of the adjournment motion is to be heard.

**The Honourable Mian Abdul Haye :** May I point out on behalf of the Government that this motion is very indefinite? It speaks of a great damage done to the crops but it does not state how it was done. No reason is ascribed. The damage may be due to the negligence of the peasants themselves. It may be due to robbery. (*Voices : Hear, hear.* Here is the Zamindars' Government.) As I was saying, this motion is very indefinite. We have been talking about hailstorm, but hailstorms are not mentioned in this motion.

**Mr. Speaker :** It is nowhere said that revenue has been collected by Government.

**Sardar Sohan Singh Josh (Punjabi) :** Sir, is it indefinite for this reason that the damage was done to the crops of the Amritsar district?

**Minister for Revenue :** Certainly not. I will repudiate that suggestion.

**Minister for Education :** The cause of the damage is not given there.

**Minister for Revenue :** Does it refer to the last hailstorm or to some other hailstorm? When did the hailstorm occur or did it come to his own village?

**Sardar Sampuran Singh :** Please do not take shelter behind technicalities.

**Mr. Speaker :** I am very doubtful about the admissibility of the motion; but in view of the precedents, to which my attention has been drawn, I give my consent, though hesitatingly (*Hear, hear.*) Motion is—

"That leave be given to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the failure of the Government to give relief to the peasants of Chhichhrianwali, Musa Khurd, Chak Sikandar, Padhari Khurd, Serai Diwana, Shaikh and Jhamke villages in the tahsil Tarn Taran, district Amritsar, on account of great damage done to their crops of paddy, cotton, maize and toria and exacting full revenue from them."

Does any one object to the motion?

**Raja Ghazanfar Ali Khan :** I object to this motion.

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

*As the requisite number of members stood up, the leave was granted. After ascertaining the sense of the House, Mr. Speaker fixed 3 p.m. on 13th January as the time for the discussion of the motion.*

#### HOURS OF SITTING.

**Minister for Revenue :** May I suggest, as you are talking about the change of the time of the meetings of this House, that I have, in consultation with my friend, Dr. Gopi Chand Bhargava, agreed that from Monday next the House should start business at 2 P.M. instead of at 11 A.M.

*The House agreed to this.*

## RULES OF PROCEDURE.

### Rule 14.

**Sardar Dasaundha Singh :** Sir, I beg to move—

That in lines 1-2, sub-rule (2), for the words "business of private members" "business other than Government business" be substituted.

Yesterday a similar amendment was accepted in connection with Rule No. 13. On that account this verbal amendment is necessary.

**Mr. Speaker :** The question is—

That in lines 1-2, sub-rule (2), for the words "business of private members" "business other than Government business" be substituted.

*The motion was carried.*

**Mir Maqbool Mahmood** (Parliamentary Secretary) : Sir, the amendment which I have the honour to move now is verbal and is intended to make the intention of the committee and the spirit of the rule clearer. It suggests—

That in the proviso to sub-rule (2), line 6, between the words "bills" and "which" the words "if any" be inserted.

The meaning of this amendment is clear. We have said that on the day reserved for non-official Bills in the first half of the day Bills which are at the introduction stage are to be allowed and in the second half of the day Bills which have advanced beyond the stage of introduction, are to be allowed. But lest it be understood that in the second half of the day if there is no Bill which has passed that stage, the Bills which are at the introduction stage are not to be allowed to be taken up on that day, it is intended to insert those words so that the meaning may be clear. If in the second half of the day there is no Bill which has passed the stage of introduction the Bills for which leave is sought should be taken up for discussion.

**Mr. Speaker :** Rule under consideration, amendment moved is—

That in the proviso to sub-rule (2), line 6, between the words "bills" and "which" the words "if any" be inserted.

**Sardar Dasaundha Singh :** It is a small verbal amendment and I agree to it.

**Mr. Speaker :** The question is—

That in the proviso to sub-rule (2), line 6, between the words "bills" and "which" the words "if any" be inserted.

*The motion was carried.*

**Sardar Hari Singh** (Kangra and Northern Hoshiarpur, Sikh, Rural) : Section 88 of the Government of India Act lays down that when the House is not in session, the Governor, if he thinks it necessary, may promulgate an ordinance to meet certain situations. But when the House meets and as soon as it meets that ordinance will be laid before the Assembly. It is not laid down in the Act in what manner that will be taken into consideration by the Assembly. However, it is laid down that the House may pass a resolution disapproving the ordinance and as soon as that resolution is passed the ordinance shall cease to have effect. So this is a valuable right of the House for which a specific provision should be made. It may be said that there is a rule in the draft rules under which a motion can be

[S. Hari Singh.]

made to that effect. But I would request honourable members of the House to secure that valuable right by making a specific provision in the rules so that a resolution disapproving an ordinance may be given precedence over any other resolution that may be before the House. So, I move the proviso.

Provided that resolutions in connection with any ordinance promulgated by the Governor under section 88 of the Act shall not be ballotted, but shall have precedence over other non-official resolutions."

**Mr. Speaker :** Does the Honourable Advocate-General consider the proposed proviso to be necessary ?

**Advocate-General** (Diwan Ram Lal) : Mr. Speaker, in sub-section (2) of section 88 provision is made for the passing of a resolution on an ordinance if it has been promulgated by the Governor. Whether after such an ordinance has been promulgated it is necessary for a member of Government or a member of the Opposition to move this resolution is nowhere stated. That matter has been entirely left to the discretion of the House. But it does appear that a procedure of this kind, a resolution of this nature would primarily be a matter of concern for the party in power, that is the majority party.

**Sardar Hari Singh :** Not necessarily.

**Advocate-General :** Apparently it appears to be the intention of the Act that the resolution should be passed with the help of the majority party in office. Therefore, it would really be the proper function of the party in power to put forward this business.

**Sardar Hari Singh :** In this connection I will ask one question. When a particular ordinance has been promulgated by the Governor, it is placed before the Assembly. Supposing Government does not consider it to be objectionable, in that case it will not move any resolution concerning that ordinance. It is not laid down anywhere that a resolution must be brought forward approving or disapproving it. Will it be open to any member of the Opposition to bring in a resolution disapproving it ? Will the Government in that contingency be prepared to take it in as Government business and give it time ?

**Mr. Speaker :** I think it is the duty of Government to find time for the discussion of a motion against the ordinance.

**Minister for Revenue :** The position explained by the Speaker is accepted by the Government.

**Mr. Speaker :** May I invite the attention of the House to Rule 83 of the Governor's *interim* Rules ? It runs as follows:

"As soon as possible after the Governor has promulgated an ordinance under section 88 (1) of the Act, printed copies of such ordinance shall be made available to the members of the Assembly. Within six weeks from the re-assembly of the Assembly, any member may, after giving three clear days' notice to the Secretary, move a resolution disapproving the ordinance."

The question is—

That rule 14, as amended, be adopted.

*The motion was carried.*

*Rule 15.*

**Mr. Speaker :** The question is—

That rule 15 be adopted.

*The motion was carried.*

*Rule 16.*

**Mir Maqbool Mahmood :** My amendment is consequential. I move—

That in line 9, for the words " private members' business " the words " business other than Government business " be substituted.

*The motion was carried.*

**Mir Maqbool Mahmood :** I move—

That in lines 12-13 for the words " private members' business " the words " business other than Government business " be substituted.

*The motion was carried.*

**Mr. Speaker :** Question is—

That rule 16, as amended, be adopted.

*The motion was carried.*

*Rule 17.*

**Sardar Hari Singh** (Kangra and Northern Hoshiarpur, Sikh, Rural) : My amendment concerns only the office hours. It would be, I think, very convenient if the time for the members to give their notice is fixed from 10 to 4, instead of from 11 to 3 as at present provided in the rules. As a matter of fact, by the decision of the House as regards time for sittings it has become all the more necessary to extend the time even till 7 P. M. because the House will be sitting till that time. (*Voices : 10 to 3 will be very convenient*). In that case I will move only my first amendment.

I move—

That in line 6 for the figure " 11," figure " 10 " be substituted.

*The motion was carried.*

**Mr. Speaker :** The question is—

That Rule 17 as amended be adopted.

*The motion was carried.*

*Rule 18.*

**Mr. Speaker :** The question is—

That rule 18 be adopted.

*The motion was carried.*

*Rule 19.*

**Lala Duni Chand** (Ambala and Simla, General, Rural) : Sir, I have got two amendments to Rule 19 and several amendments to Rule 20. I beg your leave to allow me to discuss all the amendments together because they are inter-related to one another. I will not then argue each amendment separately and that will be the most convenient way of dealing with my amendments. The object underlying my amendments to Rules 19 and

[L. Duni Chand.]

20 is to extend as far as possible the scope and extent of the right of interpellation. This is a matter on which I should ask all the honourable members of this House regardless of their party labels to support me in my effort. It is a matter that affects a large number of people of this province. As you will see, the first amendment that I propose is this :

That after the word "information" the words "or action being taken" be added.

I know there is a certain amount of difference of opinion on this question so far as the books on Constitution are concerned. There are certain authorities which allow questions being put in order to induce or persuade the Government to take particular action. There are other authorities which lay down that an action can be merely suggested, but a particular course of action cannot be asked for. Whatever may be the opinions of the constitutional lawyers on this point in view of the conditions prevailing in this province the scope of interpellation should be extended. It should be clearly the right of every member to put questions in order to ask Government to take any specific action. I submit, there are so many grievances from which the people of this province are suffering. There is a good deal of wrong doing about so many departments of Government. I venture to say that there is hardly any country in the world which is as mal-administered as this country. There is hardly any country in which there is so much corruption as there is in this country. There is hardly any country in which there is so much *zoolum* and oppression as it is perpetrated in this country or rather in this province. I submit that so many cries of woes and suffering reach the ears of the members of this House. We are flooded with all sorts of grievances and with all sorts of stories of oppression. It is sometimes stated that we put questions or move adjournment motions in order to trouble the Treasury benches or in order to play to the gallery. I assure the honourable members of the Treasury benches that it is with a sense of full responsibility that we exercise the right of interpellation. Sometimes we are blamed by our constituencies for not guarding their interests properly. I shall say the same thing with regard to the members of the Unionist Party or the Khalsa Nationalist Party or for the matter of that any other party. I know they are receiving the same kind of complaints, and their constituencies have got the same kind of greivances as our constituencies have got. I submit so far as this question is concerned, all of us sail in the same boat and I appeal to members of all the parties not to be affected in any way by the party label. I submit that if we are remiss in the discharge of our duty in the matter of extending the scope and extent of the right of interpellation we may be rightly taken to task by our constituencies. An ordinary voter understands that questions can be put with a view to eliciting information, but if you try to explain to him that questions cannot be put with a view to suggesting particular action, he will not understand that distinction. Therefore it is absolutely necessary that it should be clearly laid down that a question can be put not only for obtaining information but also for taking particular action. I might also support my view by the things as they stand. The majority of questions are as a matter of fact put in order not only to obtain information but also to suggest particular action. Similarly a majority of answers given by Government also

indicate the line of action taken by Government. Really in practice we ask for action to be taken and Government also try to indicate their position by saying that they have taken such and such action to redress our grievances or to remove our trouble. From this it is quite apparent that there is not any serious difference between a question asking for information and one asking for any particular action. I therefore submit that my amendment to rule 19 which is to the effect that

after the word "information" the words "or action being taken" be added, should be accepted.

Then there is another amendment to rule 19 which I want to move. It is to the effect that :

"After the words 'public concern,' the words 'or public interest' be added."

Sometimes questions may be disallowed on the ground that the matter does not fall within the scope of public concern. There may be a matter which may not fall within the expression 'public concern', but it may fall within the expression 'public interest'. The Ministers might be as much interested or as much responsible for a matter of public concern as for a matter of public interest. I therefore appeal to the Minister in charge to accept this amendment of mine. It simply further clarifies the matter. It does not in any way offend any principle regarding the putting of questions.

As regards my amendments to rule 20 I propose that in sub-rule (1) of rule 20, for the words "for which he is officially responsible", the words "which falls within his ministerial jurisdiction" be substituted.

**Mr. Speaker :** At this stage the honourable mover cannot move an amendment to the draft rule 20.

**Lala Duni Chand :** I am going to make only one speech to cover all the amendments. There is also one difficulty. Suppose vote is taken on my amendments to rule 19, then some of the amendments to rule 20 may fall through *ipso facto*.

**Mr. Speaker :** I cannot allow amendments to rule 20 even to be discussed at this stage. Had they been substantially identical with the amendment under discussion, I would have allowed them to be discussed. But they are entirely different.

**Lala Duni Chand :** I was advancing general arguments regarding the extension and scope of the right of interpellations.

**Mr. Speaker :** The honourable member has given notice of the following two amendments to rule 19 : One is :

That in line 3, after the word "information", the words "or action being taken" be added.

The other is—

That in line 4, after the words "public concern", the words "or public interest" be added.

Strictly speaking he could speak only on one of these amendments, that is, No. (1) and not No. (2). But as these 2 amendments are to a certain extent identical, I did not object to his speaking on both. As regards his amendments to rule 20, they are different.

**Lala Duni Chand :** I shall adopt the course suggested by you. I have already submitted that practically there is no difference between asking for information and taking action. I have advanced most of my arguments on this point. I have got to advance only one more argument. It is this. By accepting my amendment we can help the people of this province in regard to many of their troubles. I know there are certain other remedies by way of resolutions and other things. But in practice the right of interpellation is the only right which is readily available to us and which we can exercise from day to day for helping the people. It is almost impossible to raise even one-tenth of the questions affecting the public in the form of resolutions. We have been sending a large number of resolutions, say 100 or 200, in the course of a year and not more than half a dozen are taken up. So the right given by the rules to ask the Government to take any particular action by way of moving resolutions is quite different from the right that I ask for the people of this province in the form of putting questions. In this way one thousand and one questions can arise. We can ask the Government from day to day to take a particular action with regard to so many matters. If my amendments are not allowed, then most of the questions in which a request for action may be made will be disallowed. It is my experience within the short time that I have been a member of this House that a good many questions in which any particular action is suggested generally or in particular are disallowed. As the rules stand there is no help for it. I want that such questions should be allowed. I say that it should be the right of every member of the House not only to suggest that a particular action should be taken by Government but the Government should also make a reply as to the action taken. I am asking this right for the people of this province. Otherwise people will continue to suffer in so many ways. I have already submitted that the people should not be made to suffer. I therefore appeal to all members of this House that regardless of their party label they should support me and I also appeal to the honourable members of the Treasury benches to help me in this. If some honourable members of this House will not support me in this motion I expect that their constituencies will take them to task.

**Mr. Speaker :** Two amendments have been moved. They are—

1 P.M.

- (i) That in line 3, after the word "information", the words "or action being taken" be added.
- (ii) That in line 4, after the words "public concern" the words "or public interest" be added.

*At this stage the Assembly adjourned for lunch.*

*The Assembly re-assembled at 2 P. M. Mr. Speaker in the Chair.*

**Mir Maqbool Mahmood** (Parliamentary Secretary) : Mr. Speaker, my honourable friend has in his speech told us about two amendments concerning rule 19. I shall deal with them one by one. I shall first take his motion regarding 'public concern' and 'public interest'. He will find that the words 'public concern' occur not only in Parliamentary rules, but also in our own rules regarding questions on which we have so far always discussed these things. More than that he will find on a reference

to the Oxford English dictionary that the word 'concern' is perhaps wider than the word 'interest' and the word 'concern' means 'anything relating to'. The word 'interest' is such in which public is interested. I would submit that the wording of the rules as proposed by the Committee implies and includes anything that concerns public interest, anything in which public is interested and anything that relates to public. Therefore, Sir, I would submit that my honourable friend, without reference to that aspect of the question, would not like to press that amendment.

With regard to the other amendment suggested by him that questions should be allowed not only for the purpose of obtaining information but also for suggesting action, I would submit that this is a matter of fundamental constitutional importance. The purpose of the constitution for asking questions, not only in this Assembly, but in all responsible Houses, including the Parliament, is to ask for information regarding intention of the Government and it is open to members to ask for an explanation of the intention of the Government in regard to certain actions they may like to take or not to take. If my honourable friend suggests that every question may be free to suggest action to the Government then I would submit that we would be cutting at the very fundamental basis of responsible government. The right of taking action in the matter rests with the Government for the time being and it is the right and the duty of the House by majority of votes to dictate the action the Government has to take. It does not rest with anybody else as such to take into his hands the right of initiating executive action. It rests either with the Government or with the House. My honourable friend will find that on this question, even in the draft rules prepared by Bombay Legislative Assembly, which is a Congress Government and where the majority is of his party, exactly similar points have been incorporated as are incorporated in our rules. Now, Sir, if every question is to suggest action, then every question would take the form of resolution. I would submit that if Ministers of the Government have to spend their time on every question in analysing and sifting the action proposed, it will become almost impossible. I appeal to my honourable friend that within the orbit of the words proposed by our committee, this House and other Houses have always found it possible to express legitimately the purpose and ways open to them in a question. There is no need unnecessarily of importing the right of suggesting action in the questions. With these words I beg to oppose both the amendments proposed by my honourable friend.

**Pandit Muni Lal Kalra** (Ludhiana and Ferozepore, General, Rural): Sir, reference has been made by my honourable friend on the other side to some provisions made in the rules and orders as drafted by the Bombay Government. But he fails to see the difference between the Punjab Government and that Government. With regard to the majority in the Bombay province, it is for the people and they are anxious to remove the grievances of the people and situations like this in the Punjab do not arise there. In regard to the Bombay rule, which has been pointed out by my honourable friend, no point of similarity between the two provisions has been mentioned. No statement to that effect has been made.

**Lala Duni Chand:** Were the Bombay rules made by the Bombay Legislative Assembly?

**Pandit Muni Lal Kalra :** Even if they are made by the Bombay Assembly, there is difference between the temperament of the two bodies. Their rules are in committee stage. But then, even if they are finally adopted, the difference is still there. It is always said with some sort of certainty and pride from the Treasury benches that Punjab is Punjab and Punjab has to lead all the other provinces. When questions are put by members from these benches various methods are adopted by the Treasury benches to keep us away from truth. Sometimes statements are not given according to the circumstances as they exist. At other times it is said that it is regretted that the answer is not ready and sometimes it is said that fresh notice is required for such and such question, though such questions are in the nature of supplementary questions. But in this case what we insist on is that it is one thing to ask for information in the form of a question and it is another thing to suggest that action should be taken on that question. It is often said from the other side that for that thing we can rely upon the method of resolutions, but we on this side know what becomes of these resolutions. There is only one day, for example, in this session reserved for moving resolutions. Resolutions numbering several hundreds are sent but only one or two can be discussed. If this is the method, if this is the only consolation that such and such matter we can bring to the notice of Government in the form of resolution, then most of the resolutions either remain in the brain of the person who has given notice of them or they are lying in the office of the Assembly. They are never discussed here. Even if the Treasury benches say that they are discussed, then I can certainly say that they will never discuss on the floor of this House most resolutions dealing with important matters. What have we to say when we go to our constituencies? What have we to say to the people who have sent us here and who are supposed to send the majority of members sitting on the Unionist benches? It is not at this stage for me to disclose or to discuss the method in which their votes have been utilised or they have been given free choice to exercise their votes. But the question is that the majority of the work, majority of the complaints and grievances that are being felt by the people of the Punjab, are sent to us sitting on this side of the House and when we bring such a matter in the form of a question, certain evasive replies are given and it is said that we should come up with resolutions which, I am sorry to say, are never allowed to be discussed here. Naturally it is waste of time of the person who moves the resolution, it is waste of time of the Assembly and, I should say, of the Government Press where, at different stages, those resolutions are printed, and distributed, but that is a mere show, so that, Mr. Speaker, we are at a loss when we are told that such and such a question can come in the form of a resolution. That is only a statutory provision. That is only a provision that may please the people sitting in the galleries but it is not a provision which can satisfy the people whose grievances we are here to represent or whose grievances we are here to express. This source of interpellation is the only thing left to us by which we can obtain information and then we can compel the Government to take action on it.

**Minister for Finance :** Compel the Government !

**Pandit Muni Lal Kalra :** If there is provision in the rules, then we can compel the Government. Supposing there is a provision in the rules-

and if action is not taken, there will in that case be a censure motion but for the present it is only stated that they need not take any action. During the Simla session the Honourable Premier was pleased to state that it was the business of Treasury benches to move Bills and such other things but our business is to move some amendments if they are acceptable to the other side or just to criticise.

**Minister for Finance :** Quite right.

**Pandit Muni Lal Kalia :** It was pointed out yesterday by the gentleman who is now saying "quite right" that it was the business of the Government ; and the Government business will suffer. What does he mean ? Does he mean that we are not equally responsible and does it mean that we do not want business. If he means by business of the Government the business of the people being done in the interest of the people, the business done in redressing the grievances of the people, we are then with him ; but if by business of the Government he means only burdening the treasury or increasing the taxation on the people and that too, without doing anything for the people, then in that case it is for us to say that we are not with him in such a sort of business. We are serious and equally sanguine about that thing — that the business of the Government should be carried on. These resolutions, amendments and Bills are not moved with a view to prevent the Treasury benches from doing the Government business. My submission is that resolution is not the only thing on which we can rely. There is no guarantee on the other side that action will be taken though there is only a sort of show in the form of "Yes", "No", "laid on the table", "given in such and such question" and so on and so forth. That is not the position which can satisfy the people who have come here to do some solid service, who have come here to show that they are in a position to render some service to the people who are poor, who cannot afford to pay taxes, who cannot afford to pay even land revenue, who are being burdened daily by additional expenses. Under these circumstances I submit that the amendment as proposed by my honourable friend Lala Duni Chand should be incorporated and it should not be opposed simply for the sake of opposition or simply because it happens to come from the benches on this side but it is one of the healthiest amendments — and an amendment which will, as a matter of fact, reduce the work of the Government when there will be some seriousness in making replies to the questions put with regard to public matters and with regard to matters that concern the people at large.

**Raja Ghazanfar Ali Khan (Parliamentary Secretary) :** I am glad the last speaker has made the issue very clear. Honourable members will realise that the intention of this amendment is that every individual member should be at liberty to suggest what action the Government should take in any matter of public concern and if the Government fail to carry out the wishes of that individual member, some member should move an adjournment motion saying that "the Government having failed to take action as per the suggestion made by one of the members—

**Lala Bhim Sen Sachar :** Not at all.

**Raja Ghazanfar Ali Khan :** I would humbly enquire of the honourable members of this House whether the intention of passing these rule

[Raja Ghazanfar Ali Khan.]

is to turn this House into a debating society. May I submit that judging from the number of adjournment motions we have received—

**Minister for Finance :** And their character.

**Raja Ghazanfar Ali Khan :** Probably on an average two hours a day would be devoted to adjournment motions which would always be brought forward by the members of the Opposition. On the top of that there is one day every week set apart for the honourable members.

**Lala Duni Chand :** Are you aware of the number of humanity staggering events that are taking place in every part of the Punjab? Have you not to take cognizance of that?

**Raja Ghazanfar Ali Khan :** I would like to inform my honourable friend that it will be absolutely of no use bringing forward this argument every time because after all the final judges of who are the best people to remove the grievances are the electorate themselves and if they have decided not to repose their trust and confidence in members belonging to the other party, i.e., the Congress party it is the fault of the electorate and there cannot be any other criterion of judging which party enjoys the confidence of the people. I do not want to enter into arguments with my honourable friend Mian Sahib who has said that the power has been taken away. There is no such clause which takes away the power given to the non-official members. I can assure him that the proviso to which he refers cannot be put into operation unless there is some case of rare emergency. I would ask my honourable friends to realise whether there is any regulation where such a provision exists (*Minister for Finance :* None), that the right of the member to put a question should include his right to suggest particular action, (*Mian Muhammad Iftikhar-ud-Din :* It is an established practice in the House of Commons). I would request my honourable friend then to quote the authority. I do not think the House of Commons could be so unreasonable. The question is, what object will be served if the members are given the liberty and right of suggesting action by means of questions. The average number of questions which the House disposes of every day is between forty and fifty and I do not think there will be a single question which will not be followed by a suggestion for taking action.

**Mian Muhammad Iftikhar-ud-Din :** How do you suffer by that?

**Raja Ghazanfar Ali Khan :** It will be impossible for the Government to know whether the opinion which is being expressed by one individual member is endorsed by the House or not. I would appeal to my honourable friend from Ambala and ask what would be his position if he were sitting on the Treasury benches and one member from the Opposition gets up and suggests that the revenue should be reduced by 90 per cent. Now that is an action suggested by one of the members. Another member would suggest that the revenue be reduced by 10 per cent.

**Mian Muhammad Iftikhar-ud-Din :** You can say it is at my suggestion.

**Raja Ghazanfar Ali Khan :** It is at first reduced by 90 per cent. and then by 10 per cent. because you say that every member should have an opportunity of suggesting action.

**Mian Muhammad Iftikhar-ud-Din :** It is not open to you to say that the suggestion is silly.

**Mr. Speaker :** I would request honourable members not to interrupt the honourable speaker.

**Raja Ghazanfar Ali Khan :** This will create bad blood in the House if on almost every suggestion made by the Opposition the Government is to tell them that it is a serious suggestion. That will naturally create bad feeling which we want to avoid. Let my honourable friend be aware that in a representative form of Government it is the party in power which is responsible for the administration of the country. They can certainly exclude all others from taking part in the administration of that province as long as they hold charge of the Government. Under such circumstances it will be incorrect to make such a wild suggestion that every member by means of questions should suggest what action the Government should take. I am sure the House will turn it down unanimously.

Sir, as regards the other words "public concern" and "interest" my honourable friend Mir Maqbool Mahmood quoted from the Oxford dictionary or some other book. Personally I fail to realise the significance of drawing distinction between these two words. The important part of the amendment is one of principle and that is members having the right to suggest action. I would request my honourable friend to remember that these rules which we are framing will not only be confined to this House, but as no other province has passed or adopted any rules, probably the moment these rules are passed by this Assembly other provinces will get a copy of the rules and they will like to see what the Punjab has done in this respect. I can assure them that the Rules Committee took a good deal of pains in formulating the rules, thanks to the efforts of the Secretary and of the Chairman the Honourable the Finance Minister. Well, Sir, we were very careful as we were going to give a lead to the country at least in this matter. It is a very important matter of framing the rules of procedure. We should be very careful not to put down anything in the rules which would be taken objection to. I can assure you that leaving aside these ordinary verbal amendments which the House wish to adopt they must let these rules remain in the form in which they have been presented before the House. I can assure you and you can take it from me that at least 99 per cent. of these rules will be adopted by other provinces including the Congress provinces.

**Dr. Gopi Chand Bhargava** (Lahore City, General, Urban): Mr. Speaker, it has been said that the Punjab is to give lead to other provinces and therefore the rules which will be passed in the Punjab Assembly will be the ideal rules so that they may prove a guidance to others. It is from that point of view that we are proposing these amendments. We know that the Treasury benches here have got a very convenient majority and can pass any rules they like but still we think it our duty to invite their attention to what we want so that we may be able to express our opinion and thus give guidance to other provinces. There are only four courses open to the members of the Opposition to invite the attention of the government. One is through questions, the other is through resolutions, the third is through Bills and the fourth is through adjournment

[Dr. Gopi Chand Bhargava.]

motions. Now let us take them one by one. As regards resolutions, it is not only the right of the Opposition members to move such resolutions but also of those who always vote with the government, and therefore the number of resolutions goes so high that even if they were discussed on all the days which are to be devoted to resolutions in the coming four years we will not be able to finish them. Then there is the question of Bills. Well, I think, I can safely say that during the last session it was proved that the Opposition members could not be permitted even to ask for leave to introduce a Bill. It was stated last time during the Simla session that the Opposition party had no right to move Bills like that and thus every right was denied to us. Then we know, Sir, that the right of moving an adjournment motion is not the right which we can exercise on trivial matters. Adjournment motion is a very important thing and, therefore, we do not want to use that right frivolously. Therefore if we want to invite the attention of the Government to some matter which is not so important as to force us to move an adjournment motion, what is the method left for us? There is only one way and that is through questions. It is said that if a question is put and the suggestion is made to the Government and the Government does not adopt that suggestion then the number of the adjournment motions shall go higher and higher. I beg to submit that if a question is asked and a suggestion is made, and the suggestion is not approved by the Government, it has not got the force of the resolution which if the government does not accept, the government has to resign. It is only to invite the attention of the government to certain things and certain suggestions and it is for the government to take action or take no action on it. As we have got the right to move an adjournment motion even now for any default in taking action, so we can do when we make a suggestion and if that suggestion is not accepted. Therefore the Government should not be afraid on that account, that if a suggestion is made through questions then the number of adjournment motions shall go higher. If they think that we should not have the right of bringing their defects to light then this method of putting questions can be denied to us but we think it is our duty to invite their attention to public grievances. There is no other method left to us. It has been said that it is for Government to rule here and to do everything which is in public interest and for the good of the people and they cannot permit the Opposition members to suggest anything or do anything. If that is the idea underlying the opposition to the amendment I have nothing to say. They have got a convenient majority and they can do anything they like. But our duty is to express our point of view. The right to make suggestions to the Government and to bring public grievances before them and invite their attention to every act of theirs against which there is a public grievance, through questions, should be given to Opposition members. Therefore it is from that point of view that we want to draw their attention and to tell them that the people think like this. When we come here as representatives of the public we should have the right to act in that way. It is only from that point of view that we have moved this amendment. We hope that if they want to give a chance to the Opposition to act in a responsible way they would not deny us this right. (Hear, hear.)

**Sardar Dasaundha Singh** (Deputy Speaker): Sir, this rule deals with the subject matter of questions. In this rule we have accurately to define the purpose for which questions may legitimately be put. Some of the honourable members on the other side have brought in considerations which have nothing to do with the framing of this rule. In drafting rules of procedure we have to be technical and accurate. Sentimental considerations, however valuable they might be, have no place in the framing of these rules. (*Hear, hear.*)

**Lala Duni Chand**: How does the question of sentiment arise?

**Minister for Finance**: By reference to the people whom we represent.

**Sardar Dasaundha Singh**: For example, the primary object of a question is to elicit information. If we go beyond it, if we include in the subject matter of a question, prayer for action, then that will no longer be a question. To call it a question will be a contradiction in terms. The mere fact that the object behind the question cannot be gained that way, does not show that we should change the definition of a question, the constitutional definition. Here, in describing the purpose for which questions can legitimately be put, we are, for the purposes of these rules, defining the scope of a question. In so far as that is concerned, we should look to one side only, and that is that the rule should not be made inconsistent with the object of the rule. The object of the rule being to define the purpose and the scope of a question, that object alone should be kept in view, and so far as that is concerned, prayer for action does not come in. It often happens that the question results in some sort of pressure on the Government, and the object is gained, but that has nothing to do with the real object of the question. That is only a result which at times happens, but that should not be confused with the real object, the real object being to elicit information. The right of putting questions is a very valuable right for that reason alone, because in that way you can bring pressure to bear upon the Government. But that is an indirect result, and here we are to look to the direct purpose for which a question can be put. Therefore, if this amendment were to be accepted, it will change the very definition of a question and it will be a contradiction in terms. So, I have to strongly oppose this amendment.

**Pandit Shri Ram Sharma** (Southern Towns, General, Urban) (*Urdu*): Sir, the amendment now before the House is intended to determine the real object of interpellations. My learned friend Lala Duni Chand has moved an amendment to the effect that the object of interpellations should not only be to elicit information from Government on a matter of public concern but also to suggest or indicate to Government a certain course of action. The Honourable Deputy Speaker has described it as "contradiction in terms" because if one were to suggest or indicate to Government a certain course of action by means of a question, it will go beyond the real scope of a question. But my submission is that the real object of interpellation is to bring to the notice of the Minister concerned those irregularities or defects that may have crept into the administration of the department under him.

**Minister for Finance**: But how?

**Pandit Shri Ram Sharma :** I may tell the Honourable Minister who is in charge of Jails, too, that the meaning of a "question" (*sawal*) is request. I was submitting about the real objects of interpellations. We admit that under rule 19 we can ask a question for the purpose of obtaining information on a matter of public concern within the special cognisance of the Minister to whom it is addressed. But my submission is that heavens would not fall if by means of a question a suggestion is offered or a hint is dropped to Government to take a certain action in a particular matter. What is the use of simply obtaining information if we are not allowed to make suggestions in the public interest for an action to be taken by Government in a matter?

I may also make it clear to the members of the Unionist Party that by moving this amendment we do not want to serve our own ends. It is not a party question. It is the question of the rights and privileges of individual members. The matter now under consideration is of vital importance, because it is only by means of interpellations that we can bring to the notice of Government the hardships confronting the public at large. In this connection I am reminded of an incident that took place in the Rohtak District board. A congressman was elected a member of the board. The other non-congress members passed a resolution to the effect that the right of asking questions should be abolished, so that the congress member of the board may be deprived of asking questions to elicit information on matters of public concern. When this resolution was being discussed our Honourable Minister for Development reached there and in the board supported the views of the non-congress members. Now I find that the same spirit is permeating this Honourable House. I, therefore, submit that the object of interpellations besides eliciting information should also be to offer suggestions to Government for taking a certain course of action.

Raja Ghazanfar Ali Khan has rightly remarked and I am at one with him that the Unionists have been returned in majority and have a right to enact rules according to their sweet will and pleasure. But my submission is that they should show an accommodating spirit. The electorate of the province took so much pains in sending us too here. It is our duty that besides eliciting information by means of interpellations we should be able to suggest to Government the lines on which Government should take action in a particular matter. By moving this amendment we do not mean to dictate or coerce the majority. If the honourable members opposite think over the matter dispassionately, they would find that it is for the general good that we have moved this amendment. With these words I support the amendment under consideration and request the Unionists not to be carried away by party sentiments. (*Cheers.*)

**Munshi Hari Lal** (South-Western Towns, General, Urban): Sir, the Honourable Deputy Speaker has stated that the rule lays down the definition and that by the introduction of the words 'or action being taken' there will be inaccuracy and contradiction creeping into it. He has not pointed out what sort of inaccuracy and contradiction will be creeping therein and what sort of inaccuracy and contradiction he fears. On the other hand, our position is this: we admit that Government is primarily responsible for the administration but if we ever come forward to share that

125  
PM

responsibility by our suggestion, where is the harm? Why should Government shun taking suggestions from us if we want to share the responsibility with them and if we want to suggest to them a certain line of action with a view to the removal of the grievances which would be brought to the notice of Government by means of questions? I submit that if the idea in the mind of the Treasury benches is that a question is put only for the sake of eliciting information, it is entirely wrong. There are many aspects and many points of view from which we put questions. To obtain information is one of them. In all countries questions are put not only with the idea of obtaining information but with various objects in view and one of them is to bring the public grievances to the notice of the authorities. We have a right to bring to the notice of the authorities the public grievances, and to deny us the right to suggest the line of action, we who are men on the spot and who can best know the measures and the ways to be adopted, surely to deny the members to suggest such a thing is a very hard thing and entirely unjustified. The honourable members on the other side have stated that the various responsible parliaments have not adopted this course and that the words 'or action being taken' do not exist in their rules. We are to take our province into consideration, we are to deal with things as they are in our own province, and we have no concern with other countries. Politically, economically, socially and otherwise our province is different from them. Even if it be stated that in the English Parliament—as in this House British Parliament rules are often quoted—there is no such provision, that will not weaken our case. My submission is that if that course is not desirable for other responsible parliaments, it does not necessarily mean that it is not so for us. We have to adopt a different course to suit the conditions existing in the province and we have to look to the conditions that are obtaining in this land and not take our parallel from other countries where the conditions differ. But the course that has been suggested by the honourable mover of this amendment is not strange at all. In the French Parliament, I quote Lowel on this point, the right of interpellation is more or less akin to a motion for adjournment. This is far greater than the right to put questions with the object of obtaining information and this differs from the system in vogue in other parliaments or in other representative bodies of the West. France is far developed. There conditions may be the same as prevail in other countries of Europe, but the course France has adopted allows a much wider scope than that of merely obtaining information. This is not the only fundamental for a question. It is also, I submit, one of the methods to bring a grievance to the notice of the authorities and when putting the question—if along with the question we suggest a certain course of action—Government should accept it and the Government should rather thank us than oppose us. I submit, my position is that this suggestion will come in the form of a recommendation. We show them the way in which the grievance can be removed. If they do not accept our view, if they do not accept our remedy, then we have, if so advised, to take advantage of the other rules. But I may assure the Government benches that there is no malafide intention in our mind. We do not want to make it a ruse for moving adjournment motions. There need be no suspicion lurking in the mind of the Treasury benches that there is any bad intention on our part in bringing forward this amendment—our course is clear. We want wider latitude. We want some opportunity for the discussion of public

[Munshi Hari Lal.]

matters, we also want some latitude for bringing to the notice of the authorities the manner in which certain grievances can be removed. Being the representatives of the public we are all the twenty-four hours in touch with the people and, therefore, are in a better position to know the public grievances and their remedy than the Honourable Ministers who are perched on the Olympic heights of their offices. I, therefore, support the amendment that has been moved by the honourable member and my submission is that the words 'or action being taken' will not in any way conflict with the principle and will in no way contravene the ideas which underlie the putting of questions.

Sir, the other point which has been taken by the Treasury benches is this that if this is allowed, the carrying on of Government will become difficult. I have cleared the point that on the other hand we facilitate the task. We provide facilities by making our suggestions. The apprehension has not got the least foundation. With these remarks I support the amendment.

**Chaudhri Ram Sarup** (Rohtak Central, General, Rural) (*Urdu*): In my opinion the amendment under consideration does not in any way help the Opposition. On the contrary it goes against them. As a matter of fact the right of interpellation is meant only to elicit information about a particular matter and not to request the Government to take any action in the matter. But the amendment as it stands aims at requesting the Ministers to take certain action in a matter to which the question relates. The honourable members who have supported this amendment are probably of the opinion that the Honourable Ministers are not aware of the irregularities that are being committed in their departments and that is why they do not take any steps to stop them. Our experience is quite the reverse. They have been taking action against injustice and irregularity whenever they have been brought to their notice. We have got to put our complaints before them and there our duty ends.

Which party has got the majority in this House? That is as clear as day light. If the majority refuses to accept the amendment, it would be clear to the members who support it that the acceptance of the amendment entirely depends on the sweet will of the majority party and taking of action in a matter solely rests with the Honourable Ministers.

Pandit Shri Ram Sharma has just now stated that the honourable members will be robbed of their privileges if the amendment under consideration is thrown out. I take him to be a sensible man and I would request him to think over it whether the right of interpellation is being taken away from the honourable members or is being granted to them. In this connection I should say that the right of those who think that they are being deprived of their right will be taken away and the right of those who think that they are being granted their right, will be granted to them. (*Laughter*). He has also remarked that the right of interpellation should be given to the members of district board, Rohtak. As regards this, I put him a question, whether a member of the district board is authorised to look into any file he likes. Sir, I know every member has got this authority

hence the putting of a question is quite unnecessary. The Unionist Party is now in power and Pandit Shri Ram Sharma has said that he is going to advise the Unionist Party. It means that Pandit Shri Ram Sharma offers advice to the present Government. I may point out to him that the present Government needs no advice. It knows its business better than he. (*Laughter*).

The words I have spoken are quite enough for anybody who understands me.

**Sardar Sampuran Singh** (Lyallpur West, Sikh, Rural): Sir, the question which is before the House is really very important from this point of view. The constitution is in its infancy and corruption and other things, as it was pointed out by Lalaji, are rampant and practically exist all over the province and it is necessary that we should not only bring things to the notice of the Government but suggest remedies for them. So this provision for suggesting a prayer for action may also be added to the existing rules. It has been said that it would be a contradiction in terms if any further development is made in the definition of 'question'. The reasons given were certainly very plausible. But if we were to think of the matter as it stands and take the facts as they really exist, I think *sawal* in Punjabi means a request and prayer. When a person goes to an officer and stands before him and says, *janab sawal hai*, it is always understood that he is asking not only information but he also intends to make a request. (*An honourable member*: 'Question' in English does not mean this.) I wish you could translate the word 'question' by another word. Moreover, leaving that aside, what I submit is that every day when putting questions you are not only insinuating prayers but you are actually making prayers and the real purpose of these questions is to move the Government to take some action. Facts must be taken as facts and, I think, if you look at it from this point of view the argument of our learned Deputy Speaker characterising it as a contradiction in terms will fall to the ground. In English law there is a term known as 'fiction in law'. When people developed beyond the stages of barbarism they thought it wiser to change their law. But they did not actually change their law. They interpreted their law in a different way. For instance, if a person committed suicide, in English law he could not be allowed to have a decent burial and for this reason everyone who died by committing suicide is declared by law to have committed suicide in a fit of insanity, as you may be reading every day in the papers. This fit of insanity is a sort of fiction created to allow the man to have a Christian burial. In the same way this is more or less a sort of legal fiction. We now by means of questions not only insinuate but actually make prayers that Government should take action. Government does generally take action on matters arising out of questions put in this House. So that so far as the present definition of the word 'question' is concerned, it practically means the same thing as the mover of this amendment has suggested. As it stands at present it is a legal fiction which we want to specify in clear words, so that everybody may be able to understand it and no two interpretations can be put on it. We are, therefore, not asking anything new. But we went to state clearly in the rules what we are actually practising. It has been suggested by the other side that this amendment is based more on sentimental reasons than on real merits. I submit that

[ S. Sampuran Singh. ]

so many things really are based on sentiment. I believe in sentiment. Sentiments are a great thing and I am glad and I congratulate this side of the House that we are sometimes actuated by sentiment and not reasons such as that of fat salaries.

### ADJOURNMENT MOTION RE POLICE RAID IN VILLAGE KATANI.

**Mr. Speaker :** The House will now proceed to discuss the adjournment motion of Lala Duni Chand.

**Lala Duni Chand** (Ambala and Simla, General, Rural) : Sir I beg to move—

3 P. M.

That the Assembly do now adjourn.

(Urdu) Sir, the adjournment motion that I have just moved in English... (Voices : Speak in English). If the honourable members opposite object to it—

**Mr. Speaker :** I would request the honourable member to speak in English as he is very well acquainted with it.

**Lala Duni Chand :** I have done so deliberately. I want your ruling on this point in view of new development of this idea. Recently the Speakers' Conference has been held of which your goodself was one of the distinguished members. I have got a report of those proceedings.

**Mr. Speaker :** It cannot be correct. Proceedings were confidential.

**Lala Duni Chand :** I do request that I may be allowed to speak in Urdu, in view of the fact that two Governments, the Government of the United Provinces and the Central Government, have given option to the members of the Assemblies of those provinces to speak either in English or in any vernacular as they think proper.

**Mr. Speaker :** The honourable member is a learned lawyer. Will he please read section 85 of the Government of India Act and interpret it for himself and the House ?

**Lala Duni Chand :** So far as section 85 of the Government of India Act is concerned, at one time I was the first man to agree with that interpretation, but later on you have had an opportunity of knowing the views of Speakers of other provinces and of other people in the country and I suppose you have modified your views in the light of the views of other provinces.

**Mr. Speaker :** May I inform the honourable member that out of the duration of 15 minutes he has already taken 5.

**Lala Duni Chand :** Those 5 minutes ought to be deducted from that time. I am entitled to get your ruling on this point.

**Chaudhri Kartar Singh** (Urdu) : Sir, during the budget discussion, Pir Akbar Ali spoke in Urdu. It was then stated that the present Government is approaching the Government of India to move the British Parliament in order to make the necessary amendment in the Act.

**Mr. Speaker :** It is hoped that the Act shall be amended before long.

**Lala Deshbhandhu Gupta :** May we know, and the House is entitled to know, whether the Honourable Speaker has changed his view in this matter or not ?

**Mr. Speaker :** So far as section 85 is concerned it is there. I wish I could change my view. But the law should be interpreted as it is and not as it ought to be. So far as the law goes there can be no two opinions that only those persons, who are not acquainted or are not sufficiently acquainted with English, can speak in a language other than English.

**Pandit Shri Ram Sharma (Urdu) :** Sir, may I enquire whether the practice adopted in the House is identical with that of the other legislatures in India ? In the United Provinces Assembly members have been provided with some facilities in this respect.

**Mr. Speaker :** I have no right to pass remarks on the procedure followed in other provinces. I have interpreted the law according to my lights and I stick to that interpretation.

**Lala Duni Chand :** Now Sir, I begin to discuss my motion.

**Mr. Speaker :** Eight minutes are gone.

**Lala Duni Chand :** I would claim your indulgence. Sir, from this place, which is the headquarter of the Unionist Government, at a distance of some 25 miles things have taken place which should rouse the conscience of the Treasury benches due to the gravity of those happenings. On 29th November last the police force consisting of about 60 men came to the village Katani.

**Minister for Revenue :** May I ask whether this is a written speech ?

**Lala Duni Chand :** On the 29th November last the police force consisting of about 60 men came to the village Katani in the Amritsar district and started ransacking several houses and dragging a number of men and women out of their houses, driving away their cattle and assaulting men and women. Before I give further facts, I may inform this House that I have satisfied myself with regard to the correctness of these facts by a personal visit to this place. Not only I paid a personal visit to this place, but I was accompanied by some very distinguished men of the Congress. We were about a dozen people and we went to each house and made enquiries. I shall immediately refer to statements of a number of people that had been recorded at the spot and which are in my possession.

**Khan Bahadur Mian Mushtaq Ahmad Gurmani (Urdu) :** Sir, the honourable mover of the adjournment motion has said that he paid a visit to the village. May I know whether he was staying there when the raid took place or whether he accompanied the police party ?

**Lala Duni Chand :** Sir, whenever I shall think it proper that the Unionist party be raided, I would certainly take part in such a raid. We ascertained the reasons as to why this extraordinary thing was done by so many police officers and police men among whom there were three Europeans. The village people described them as Europeans—they might be Anglo-Indians or Eurasians. The only reason that we know of is that in this village there is a well organised Congress Committee and the entire village is congress minded. That is one reason. It was for the purpose of punishing these people for organising the Congress Committee that they

[L. Duni Chand.]

had come in such large numbers. The other reason that was given was that a few days earlier a number of labour strikers of Dhariwal Mills on their way to Lahore to place their grievances before the Unionist Ministers, had stopped at that village and they were given shelter in a particular house. The police force also wanted to punish the village people for giving shelter to these labour strikers. These are the only two reasons. I asked them the reason why the police people were so mad as to do a thing like that. This was the reply and we were perfectly satisfied. Unfortunately my adjournment motion with regard to the regime of repression that is going on in this province has been rejected, but fortunately this motion has been accepted and this gives some idea of the reign of repression that is going on in this province. Had I not possessed the material, perhaps it would have been said that this story is the invention of our brains. I have got statements of about six or seven persons in my possession and I shall refer to some of those statements. There is the statement of a lady—a brave and self-respecting Sikh lady, Mai Gabo by name. She said as follows in her statement :—

بیان مافیہ کابو زوجہ جیون سنگھ جت سنگھ، کٹھانیاں—ضلع امرتسر—عمر تقریباً ۴۵ سال —

۲۹ نومبر رات کے بارہ بجے کے قریب پولیس کے تقریباً چالیس پچاس آدمی نے جمعہ تین انگریز افسران کے مسمی جیون سنگھ جتویدار کے مکان پر چھاپہ مارا۔ مکان کا باہر کا دروازہ بند تھا۔ جسے پولیس نے بغیر کسی قسم کی اطلاع کے اکھاڑ ڈالا اور پولیس اندر داخل ہو گئی۔ میرے ہمسایہ دار منگو (جت مسلمان) نے بہہ خیال کر کے کہ ڈاکو حملہ آور ہو گئے ہیں دیوار پر چڑھ گیا۔ بہہ سب باتیں میں نے منگو سے پولیس کے جانے کے بعد سنیں۔ پولیس افسر نے کہا کہ اسے پستول کی گولی کا نشانہ کر و سبب منگو نے بہہ بات سنی تو اس نے سمجھ لیا کہ بہہ پولیس والے ہیں۔ وہ نیچے اتر آیا۔ مسمی جیون سنگھ کے مکان کے اندر سونے والے بھریدار پر پولیس والوں نے جہت سے قندے رسید کئے جو پولیس ساتھ والے مکان کی چھت کے راستے اندر داخل ہوئی تھی اُس نے باہر والی پولیس کی مدد سے دروازہ کی چوتھی اکھاڑ ڈالی۔ ہم لوگ سب اچھے گھر کے اندر والے کمرے میں سو رہے تھے۔ ہمیں اس وقت تک پتہ نہ لگ سکا جب تک انگریز پولیس افسر نے آواز نہ دی۔ اور مسمی جیون سنگھ کے باہر نکلنے پر افسر نے نہایت ہی گندی گالیوں میں اور کہنے لگا کہ شراب کھانے اور کئے سے اور اُسے قازھی سے پکڑ کر مے مار کر زمین پر گرا دیا۔ مسمی جیون سنگھ نے کہا کہ میں پختہ کا سیوا دار ہوں۔ تم شراب کا الزام مجھ پر لگا رہے ہو۔ اس بہانے سے مجھے مت مارو۔

گرفتار کرنا ہو تو گرفتار کر کے لے چلو۔ میں قوم کی خدمت سے باز نہیں آ سکتا۔ پھر بہت سے پولیس افسر اور سپاہی اندر داخل ہوئے۔ مسمی جیوں سنگھ نے منع کیا کہ سب آدمی اندر نہ جاؤ۔ ایک دو آدمی جا کر تلاشی کر۔ لیکن وہ گالیاں اور دھکے دیکر سب کے سب اندر گھس گئے۔ کسی نے بھی اپنی تلاشی نہیں دی۔ اور عورتوں تک کو کپڑے بھی نہ پھیننے دئے۔ اور عورتوں کو گالیاں دیتے ہوئے تلاشی کرنے لگے۔ ہمارے گھر کی ایک ایک چیز باہر نکالی گئی اور بہت سی رضائیاں جو کوٹھی میں بند تھیں سب باہر نکال لیں۔ اور گالیاں دیتے ہوئے انگریز افسر نے کہا کتنے بستر کر رکھے ہیں۔ بے ایمان حرامزادے سو رکے بیچے وغیرہ وغیرہ اور بہت سے سخت الفاظ استعمال کئے۔ مسمی جیوں سنگھ نے سردی کی وجہ سے اچھے گھر کی استری سے کمبل مانگا جس پر انگریز افسر نے نہایت کندی گالیاں دیتے ہوئے کہا کہ کمبل مانگتا ہے۔ چھوٹی لڑکی جو اچھے بابا کو بلانے جا رہی تھی دھکے اور دھمکی دیکر روک دیا گیا۔ ایک دفعہ ہماری تلاشی کر لیتے کے بعد ایک دفعہ پھر دوبارہ تلاشی لی گئی اور پھر گالیاں دیں اور کہنے اور تہقیز مارے۔ اور پولیس افسر نے کہا کہ چلو تم ہمارے ساتھ۔ جس پر مسمی جیوں سنگھ ان کے ساتھ چلنے کو تیار ہو گیا اور مسمی جیوں سنگھ نے کہا کہ تم مجھے بے شک گرفتار کرو لیکن یہ تو بتاؤ کہ تم مجھے کس جرم میں گرفتار کرتے ہو۔ اس کے بعد مجھے ساتھ لیجائے کی بجائے یہ کہنے لگے کہ جاؤ تم لوگ جاؤ اور خود ہماری چار پائیاں بچھا کر بیٹھے گئے۔ پھر ایک سادہ کاغذ لیکر اس پر کچھ لکھا اور کہنے لگے کہ آؤ اس پر انگوٹھا لگاؤ۔ جس پر جیوں سنگھ نے کہا کہ انگوٹھا کس بات کا۔ کہ تمہارے ہاں سے کوئی چیز نہیں ملی اور ہم تمہاری کوئی چیز اچھے ساتھ نہیں لے جا رہے۔ اس بات کے دستخط ہم چاہتے ہیں۔ اس پر مسمی جیوں سنگھ نے دستخط کر دئے۔ بہت سا اناج غلہ اور گڑ زمین پر مٹا کر سب ردی کر دیا گیا۔ جس پر سب لوگ بوٹوں سمیت چلتے رہے اور بہت سے برتن مٹی کے توڑ ڈالے اور بھی بہت سا نقصان کر دیا۔

This is the story that has been told by this lady and I say in all honesty that after putting questions to this lady we had satisfied ourselves that every word that was uttered by this lady carried conviction. I can take Mir Maqbool Mahmood, who, I think, represents a part of Amritsar district in my own car to the place and I can convince him with regard to what I have said.

**Mr. Speaker :** The honourable member's time is up.

**Lala Duni Chand :** I claim your indulgence for five or six minutes more.

**Mr. Speaker :** The honourable member is allowed four minutes more.

**Lala Duni Chand :** This lady's statement is supported by one Mehar Singh, a neighbour, and by Mangu, a Muslim guard, who was sleeping in her house. There is another similar statement by another lady Mussammat Gangi, mother of Sant Singh, lambardar. The statements of Mussammat Gangi and the lambardar are in our possession. They have described how their house was broken open and how it was ransacked. I have also in my possession the statement of one Santokh Singh who has described how, for the sin of enquiring from the police as to why they had come, he was beaten and assaulted. I have also got a statement of the lambardar of that village, which is very pathetic. I appeal to a number of honourable members who also happen to be lambardars and zaildars and I want them to know how their fellow brother was treated by the police force. (*Voices : Name him*). His name is Deva Singh, son of Bur Singh of this village. He says :—

میں سردار دیوا سنگھ ولد بوز سنگھ عمر ۹۰ سال موضع کھنڈاویان ضلع امرتسر بیان کرتے ہیں کہ میں اپنے بیٹے سارن سنگھ کے ہمراہ اپنے حویلی میں سو رہا تھا کہ میرے لڑکے نے مجھے جگہ کر کہا کہ پولیس ہمارے مکان پر آئی ہے۔ کہ ہمارے گھر کے سب آدمیوں کو نکال کر باہر بٹھایا ہوا ہے۔ میں اُٹھ کر گھر کو گیا اور وہاں جا کر میں نے پولیس والوں سے کہا کہ میں نے چالیس سال تک نمبر داری کی ہے۔ لیکن میں نے آج تک کبھی رات کو تلاشی ہونے نہیں دیکھا۔ اور میں ۱۱۳۵ روپیہ معاملہ اگٹھا کر کے دیتا ہوں۔ میں نے کہا کہ تم بھی لڑکیوں والے ہو گالیاں نہ دو۔ لیکن وہ لوگ باز نہ آئے اور نہایت ہی گندمی گالیاں دین اور مجھے دروازے کے اندر بھی نہ جانے دیا اور خود تلاشی کر کے بہت بری طرح ہمارا سامان ادھر ادھر پھینک دیا اور میرے سامنے میرے بیٹے بدانت سنگھ کو بوٹوں کے ٹھکے مار مار کر زخمی کر دیا جس پر وہ چلا چلا کر رونے لگا اور میں بھی چلا کر رویا۔

This is the statement of Deva Singh which bears his thumb-impression. The date of the raid is 29th November, 1937, and the statements referred to by me were made on 30th November, 1937, i.e., just the next day when the event was fresh. I shall be glad to give you a copy of the statement if so desired. It is obvious that this raid was not made for the purpose of detecting any crime. The entire object was to terrify the people. This is the way how the Unionsit Party Government wants to keep its hold on the people.

**Mr. Speaker :** The motion is—

That the Assembly do now adjourn.

**Mir Maqbool Mahmood** (Parliamentary Secretary) : Sir, I rise to oppose the adjournment motion proposed by my honourable friend from Ambala. In doing so let me at the very outset reiterate the attitude of the Government on such matters which has been defined more than once by the Honourable the Premier. We recognise that a section of officials as well as of non-officials have yet to learn the new tradition of mutual approach of this question which is demanded of them by the new constitution and the attitude of the present Government (*hear, hear*). The Honourable Premier privately and publicly in his recent tours throughout the province emphasised that he is a public servant in the literal sense of the word and so are all officials, and he has impressed upon the officials the necessity of making the public realize in practice the change in official mentality and the new tradition of a rule of law. Simultaneously he has impressed upon the non-officials the necessity of appreciating the difficulties and the limitations of administration and particularly of the police in their difficult duties ; and he has appealed to them as I am happy to find that the Premiers of certain other provinces have also been doing since, that the public and the officials should apply themselves to these questions in a new tradition of joint partnership of public service. I am sure, Sir, that responsible opinion in this House and outside will not deny that unfortunately there have been occasions in the past when certain officials have allowed their zeal to outrun their discretion and they have behaved in a manner not befitting the best traditions of their services. It is equally true that on many occasions unfortunately members of certain sections of the public in order to conceal themselves or their friends in their illegal activities have tried to exaggerate matters and by distorting facts have tried to cite instances against officers of the police. That is unfortunately true. That being the case the attitude of the Government on questions such as those raised in this adjournment motion is to approach them with an open mind and with the anxious and sympathetic consideration which they deserve. I can assure my honourable friend opposite that Government have looked at the question from this point of view. Let me take the House into confidence as to the facts of the case. If my honourable friend at the time he started making enquiries had made efforts to ascertain from the local authorities or from the Minister as to what happened on the 29th November, I am sure he would have taken a different view and would have come here not with an adjournment motion but with a vote of thanks to the local authorities for the good work done by them in this affair (*hear, hear*). What are the facts ? Kattani is a village seven miles from Amritsar in my constituency. I can assure my honourable friend that I will not lag behind any other member in standing for the rights of the people in my constituency—nay of the people of the whole province—in case they are mal-treated by any official. Katani is in the Sadar thana in the Amritsar district. In that thana in the last two years the increase of crime has been 66 per cent. In 1935 there were 222 cases registered while this year up to date the number of cases is 368 ; and as a result of the complaints of the law-abiding citizens of the thana to the local authorities to check crime, an inspector has been placed specially in charge of the thana. In order to combat the spirit of crime a campaign of raids was started to get at the badmashes and to prevent illicit distillation. My honourable friend said that this village was chosen because people there had become Congress-minded. Let me tell him and I think he

[ Mir Maqbool Mahmood. ]

will agree—I do not mean any lack of deference to him—that the mere fact that a person becomes a Congressman or a Unionist does not absolve him from responsibility if he is found committing crime ; and he will be surprised to know, if he does not know it already, that in this village there are 9 bad characters under surveillance and they have been involved in no less than 17 burglary and theft cases recently in the neighbouring villages. There are 39 ex-convicts of theft, burglary and excise cases in this village (*A voice* : Since how long ?) I am giving all the figures. The remarks column of the thana since 1929 shows that this is the worst village in the whole district from the point of view of illicit distillation. I am sure when the illicit distillation activity started in 1929 there was no question of the honourable member from Ambala and myself sitting on the opposite sides of this House. In the two months of November and December last the police made hundred raids. I am in the happy position to state that not only the officials but many non-officials with influence and other law-abiding persons have co-operated and given their full support to this campaign of raids. Now, Sir, what happened on the 29th November ? A raid was made on Katani. This particular raid was carried out for two purposes, firstly, to ascertain as to whether certain badmashes who lived in the village were there or not and secondly, because information had been received by the inspector in charge of the thana that there had been illicit distillation going on in the houses of Asa Singh, Jiwan Singh and Basant Singh. It was only the houses of these three men that were searched. It so happened that possibly the information was wrong or perhaps it leaked out, but nothing was discovered on that particular day (*hear, hear from the Opposition benches*). It will interest my honourable friends who say “hear, hear”, to know that since 1931 fourteen cases of illicit distillation were traced to this village and illicit stills discovered. Actually during 1937 two previous raids were carried out in this village ; in one working still was recovered and in the other, an amount of illicit liquor. Two men of village Katani were also arrested selling liquor in the city. (*Sardar Partab Singh* : How many against Asa Singh ?) Of those convicted in these cases one was a son of this lambardar. These are the facts.

**Lala Duni Chand** : Was any of the persons named by me ever prosecuted for illicit distillation of liquor or anything like that ?

**Mir Maqbool Mahmood** : I have definitely informed my honourable friend that a son of Asa Singh was convicted. It may interest my friend to know that the informant Deva Singh who posed as a lambardar was actually dismissed from lambardari in connection with illicit distillation in 1933.

**Lala Duni Chand** : Is he not still a lambardar ?

**Mir Maqbool Mahmood** : He had been dismissed. I do not know whether he has been reinstated.

With regard to this particular raid, what happened ? This raid was made by no irresponsible police officers. The raid was made by a gazetted officer with three inspectors, sub-inspectors, assistant sub-inspectors and foot constables and they included Hindus, Muslims, Sikhs and Europeans. I feel that in the light of these facts the House will appreciate that the police did their duty well in difficult circumstances, and our enquiries show that

the charges brought out in the adjournment motion are baseless. I do not say that the honourable mover of this motion is himself responsible. But I would confidently assert that it is one of those unfortunate cases in which he was supplied incorrect information. I can assure my honourable friend that living as I do in that constituency things are not as bad as they have been depicted.

Now, Sir, it is important to know that in this village there are 1,082 inhabitants. I pride in the fact that Amritsar district is one of those districts in which we are not shy of taking reports to district officers and that we are not even shy of bringing forward cases against police officers when we have a good ground for complaint. It is significant that in this case the village is only 7 miles from the head-quarters and yet no complaint has been made up to date to the deputy commissioner or to the superintendent of police, nor has any case been lodged in any of the courts. It is also significant that no complaint has come with regard to any of the 100 similar raids by the police. In the light of those facts it is for the House to draw its own conclusions. I would in this connection with your permission invite the attention of my honourable friends opposite to a statement recently made by the Home Minister of Bombay on a similar occasion. He is a Congress Minister. He said :—

"In genuine grievances it is always open to the aggrieved party to make out a case and go to a court of law. It is equally open to them to place before the Government substantial *prima facie* evidence. But in the very midst of a difficult situation mere allegation against police and insistent demand for public enquiry splashed in the press would have no other effect than to encourage the forces of disorder and making the Government more difficult than ever."

One word more and I have done.

**Lala Duni Chand :** In what connection did this Bombay Minister make this speech ?

**Mir Maqbool Mahmood :** I submit in all sincerity to my honourable friends opposite that in matters of this nature let us on the Government side as well as on the non-official side approach such questions not merely from the point of view of press or propaganda but in the best interests of the province. I am authorised to state by the Premier that if any of my honourable friends have any specific serious matters of this nature brought forthwith to the notice of the Hon'ble Premier he would be delighted to make necessary enquiries in the matter and see, if necessary, that legitimate public grievances are promptly redressed.

**Lala Duni Chand :** People think that there is no Government to protect them in this province.

**Mir Maqbool Mahmood :** It is the same charge which is being brought against the Congress ministries in other provinces. It is our duty to do everything we can to protect the rights of the public and ensure fair play. The sweeping allegations made in the speech of my honourable friend make it my duty to state that in the best interests of the province we cannot allow the feeling to grow that any stick is good enough to beat the police. When the police is in the wrong we shall be the first to punish them, but when they are doing their duty so creditably and at great inconvenience as in this case it is the duty of the best opinion on both sides of the House to have the courage to applaud it publicly even if the persons concerned

happen to be police officers. I feel confident, Sir, that in this particular matter the House will join with me in declaring publicly that whatever the good or bad points of police in other matters we gratefully appreciate the action of local authorities including the police and their subordinates as well as of those non-officials who have been helping the police and the local authorities in combating crime. (*Cheers.*)

**Sardar Sohan Singh Josh** (Amritsar North, Sikh, Rural) (*Punjabi*): Sir, I rise to support the motion moved by my honourable friend Lala Duni Chand. As soon as the news of this raid at village Katani were received by me, I hastened to the spot for making enquiries. On reaching there I found that the villagers had assembled in large numbers attending a meeting in which the atrocities perpetrated by the police were described in the presence of C. I. D. and other Government officials. Now I may be permitted to state the real cause of this raid. It was due to the fact that a jatha of workers had stayed in the village and the Government officials took exception to this. They ordered the villagers to refuse the visitors boarding and lodging. Just now honourable Mir Maqbool Mahmood has stated that the Honourable Premier would be pleased to take action if a report is made to him. May I ask whether no report of this unfortunate incident has been received by him?

**Mir Maqbool Mahmood**: On a point of personal explanation, Sir, I never said that. I do not know how I can explain it to the honourable member. (*Voices: He understands everything.*)

**Sardar Sohan Singh Josh**: Sir, I was submitting that a few days before the raid was made by the police, a jatha of workers of Dhariwal Mills visited the place when proceeding to Lahore to place their grievances before the Minister. The workers wanted to stay for the night, but the police would not tolerate their presence. The police officials asked the lambardars and other prominent villagers not to give shelter or supply provisions to the workers. But the lambardars and others refused to comply with their request. In fact all the villagers had become Congress-minded and had formed a Congress Committee there. They bluntly told the police that they were not prepared to give a cold shoulder to their brethren. The police took umbrage at the audacity of the villagers. They wanted to wreak vengeance upon them, and under the pretence of apprehending the bad characters and arresting the illicit distillers, they made a raid in the village at dead of night. In this connection I may state for the information of Government that I know Jewan Singh personally. He is an Akali and a Jathedar. He has never touched wine and is a man of excellent moral character. But the police broke open his house, mal-treated the inmates and made a thorough search of the house causing great inconvenience to the family. Besides this the police committed acts of indiscriminate assaults on a number of men and women. They forcibly broke open several houses and ransacked them. They abused several persons in foul language. If I were to relate all the atrocities perpetrated by the police it would make one's hair stand on end.

My honourable friend, Mir Maqbool Mahmood, stated just now that his party had the greatest sympathy for the public. I may also remind him that some time ago the Honourable Premier issued a statement warning the police that if they committed excesses, he would show no mercy to them. Now is the time that he should act up to his statement. In this particular

case the police committed all sorts of excesses. I should like to know if the Honourable Premier is prepared to take action in the matter. If he fails to do that, I would be led to believe that all his repeated assurances in fact amount to nothing but empty rhetoric. With these words I close my speech.

**Khan Bahadur Mian Mushtaq Ahmad Gurmani** (Muzaffargarh North, Muhammadan, Rural) (*Urdu*): Mr. Speaker, after hearing my honourable friend, Mir Maqbool Mahmood, one could only come to the conclusion that the honourable the mover of this adjournment motion either did not try to take pains in thrashing out the real facts with regard to the incident of the 29th November or that he has forgotten them. I am personally inclined to think that as the incident referred to in the adjournment motion is an old one, my honourable friend has forgotten the real facts. I have come to this conclusion because while moving his adjournment motion my friend started his speech in Urdu. It seemed as if he had forgotten the English language, as he had been making speeches in English and an eminent lawyer of his standing and experience of the legislatures could not be ignorant of the rules of business and procedure of this House. After all old age does tell upon one's memory. (*Laughter*).

Now coming to the adjournment motion itself, we must see whether the action of the police in raiding this village was justified or not. As my honourable friend Mir Maqbool Mahmood has explained, village Katani has a population of just over 1,000 inhabitants. In this small village there are nine bad characters under police surveillance and as many as 39 ex-convicts who had been imprisoned on charges of theft, dacoity and illicit distillation of liquor. I am unaware as to how many of them are members of the local Congress Committee. In 1937, cases of illicit distillation were detected in this very village and the offenders were convicted on this charge as also on the charge of selling illicit liquor. One of the convicts included the son of a lambardar. The police was informed that illicit distillation of liquor was going on in this village. On receiving this information the police made a raid in order to bring the offenders to book. The raid in question was made under the direct supervision of a gazetted officer accompanied by two inspectors of police. My honourable friend's only excuse in moving this adjournment motion seems to be that there exists fortunately or unfortunately a Congress Committee in village Katani which was raided by the police. The existence of a Congress Committee in a particular area should not immunise the population from any legal action being taken against them. The allegations contained in the adjournment motion regarding indiscriminate assaults by the police on a number of men and forcibly breaking open and ransacking of several houses and abusing the inhabitants of the village have not been proved. The official report denies all these charges. Lala Duni Chand takes his stand on a few statements which were taken in the course of a non-official enquiry made into the incident. These statements are alleged to have been recorded on the 30th November, 1937, by a non-official enquiry committee consisting of certain Congress men, whose names, it has not been considered desirable to disclose.

**Lala Duni Chand**: Does the honourable member wish to know about the persons who made enquiries? I reached the place a few days after the occurrence of the incident. A few highly educated and well-cultured persons made enquiries into the matter and brought these facts to light.

**Khan Bahadur Mian Mushtaq Ahmad Gurmani :** Sir, my honourable friend tells us that the enquiry was not made by the Congressmen but by certain gentlemen who were highly educated and well cultured. (Laughter). Now, Sir, the statements on which my honourable friend is relying were neither taken on solemn affirmation nor by any responsible non-official enquiry committee and hence they have no legal value. We have been further told that my honourable friend along with certain other Congressmen reached the village Katani on the 30th November, next day after the incident.

**Lala Duni Chand :** I went there after several days.

**Khan Bahadur Mian Mushtaq Ahmad Gurmani :** I see. My honourable friend did not go there the next day and he is relying on the facts which were gathered by other persons. I fail to understand as to why the educated and well cultured gentleman who conducted the enquiry did not advise the persons who are alleged to have been beaten mercilessly and assaulted by the police to get medical certificate and file a complaint against the accused policemen. My honourable friends, Lala Duni Chand, Sardar Sohan Singh Josh and Shrimati Raghbir Kaur, who later visited this village and made enquiries with regard to this incident, neither advised the alleged victims of police assaults to file a complaint against the police nor brought these facts to the notice of the district authorities or the Punjab Government. They seem to have contented themselves by reserving this information for use in moving an adjournment motion. If my honourable friends had any real sympathy with the alleged victims, they should have tried to get their grievances redressed immediately by bringing the facts to the notice of the authorities. They were probably not sure of their ground and their only concern in the matter seems to be to get some material for an adjournment motion. Village Katani is only at a distance of about seven miles from Amritsar and I fail to understand, why the alleged victims were not advised to go to some doctor and get a medical certificate for their injuries and file a complaint against the assaults of the police. As regards the statements which were taken by the so-called enquiry committee, I would like to mention just one fact which will throw some light on the reliability of this enquiry. One of the statements is purported to have been made by a lambardar. This man was dismissed from lambardari in 1930 and is no longer a lambardar. My honourable friend Lala Duni Chand has said that village Katani was raided only because the inhabitants were Congress-minded and were running a Congress Committee in their village. Let me inform the House that on account of increase in crime in Amritsar district since last year and particularly in sadar police station in which this village is situated more than 100 raids were made by the police for checking the excess in crime, and Katani is one out of 99 villages which were raided by the police. My honourable friend, Sardar Sohan Singh Josh, has offered another reason for this raid. He said that a jatha of labourers from Dhariwal was marching to Lahore to see the Honourable Minister of Industries, and stayed for the night in this village, the police got annoyed and raided the village. Sir, this jatha neither reached Lahore nor saw the Honourable Minister of Development. This fact further strengthens my view that these allegations have not an atom of truth in them.

**Sardar Sohan Singh Josh :** I can let you know where the procession of the labourers went. An order was promulgated under section 144, Indian Penal Code.

**Mr. Speaker :** I would request the honourable members not to interrupt the gentleman in possession of the House.

**Sardar Sohan Singh Josh :** Sir, the honourable member is making such statements which require further elucidation.

**Mr. Speaker :** No running commentary can be allowed.

**Khan Bahadur Mian Mushtaq Ahmad Gurmani :** In short, my honourable friend, the mover of the adjournment motion has not been able to substantiate his allegations. We are not even told the names of the members of the so-called commission of enquiry.

**Sardar Sohan Singh Josh :** I along with Bibi Raghbir Kaur and another honourable member of this House went there personally and made enquiry with regard to this incident.

**Khan Bahadur Mian Mushtaq Ahmad Gurmani :** Sir, my honourable friend Lala Duni Chand tells us that the enquiry committee did not consist of Congressmen but of certain gentlemen and my friend Sardar Sohan Singh Josh says that he along with another Congress worker conducted this enquiry; both these statements are contradictory. I do not know which to believe and which to disbelieve. It is most unfair on the part of the honourable members of the Opposition to keep quiet for months and then come out with a grievance on the floor of this House in the shape of an adjournment motion. If they were satisfied with regard to the allegations contained in the adjournment motion, they should either have advised the injured persons to take legal action against the police or should have brought these facts to the notice of the local authorities or the Government. My honourable friend says the members of the Opposition are not taken into confidence by the Government and that no attention is paid to their representations and suggestions. I do not agree with him. The Government is always prepared to listen to sensible counsels and is anxious to redress the grievances of the public, but the attitude of the Opposition unfortunately is to create sensations by bringing wrongful accusations against the Government. If my honourable friends will adopt a more reasonable and responsible attitude, it will raise their prestige in the eyes of both the public and the Government and will make their task easier. Our Government has made it clear that our object is to serve the people of this province and that we will not tolerate any oppression on the people. We are to protect and safeguard their rights and we will remain in office only as long as we could discharge our duties towards the public efficiently and honestly. The Honourable the Premier has declared on many occasions that the Government servants should consider themselves not as rulers but as servants of the people, and if any Government servant tries to oppress the people or interfere in their rights of citizenship he will not be spared, however high his position may be. But I would also like to make it clear that our Government has no soft corner for criminals and law-breakers and I am sorry to remark that our Congress friends have developed a mentality of having sympathy with the criminals and law-breakers. This is to my mind due to their long associations with the criminals in jails. I do not for a moment say that their sufferings in jails were not for a praiseworthy motive but unfortunately they developed an affinity with

[K. B. Mian Mushtaq Ahmad Gurmani.]

their jail mates and seem to have a soft corner in their heart for those who commit crimes and violate the laws of the land. Now that the responsibility of maintaining law and order and protecting the rights and privileges of our fellow citizens has been transferred to us, I would request them to see things from a different angle of vision. They should not content themselves by playing the role of a mere critic, but should inculcate in themselves the spirit of co-operation and helpfulness to the administration. If my honourable friend had the welfare of the villagers of Katani at heart he should not have slept over this incident for two months. But should have approached the Government to redress the alleged grievances of the people, rather than give the House a surprise by moving this adjournment motion. I would appeal to my honourable friend to act in a more responsible manner in future and make sure that the statements which he makes in the capacity of a responsible member of the legislature contain only facts. The object of an adjournment motion should not be to supply material to the press for party propaganda. The Government, let me assure my honourable friends of the Opposition, will welcome their co-operation in purifying the administration and raising its standard of efficiency.

**Sardar Sohan Singh Josh :** We will see to it also. I say that these facts are quite true.

**Khan Bahadur Mian Mushtaq Ahmad Gurmani :** I am afraid, Sir, I cannot agree with my honourable friend.

**Pandit Shri Ram Sharma :** A part of it must be true.

**The Honourable Chaudhri Sir Chhotu Ram :** Not a bit.

**Khan Bahadur Mian Mushtaq Ahmad Gurmani :** I leave it to the honourable members to draw their own conclusions after placing all the facts before the House. With these words, Sir, I oppose the adjournment motion.

**Shrimati Raghubir Kaur** (Amritsar, Sikh Women) (*Punjabi*) : Sir, I may point out at the very outset that the poor zamindars being wholly illiterate cannot draw any benefit out of the newspaper and the law of the land. The police subjects them to all sorts of atrocities and excesses but they go on suffering silently without trying to invoke the help of the newspapers or of the law that is in force for the time being. It is under such circumstances that the police had the audacity to break open the door of Sardar Jiwan Singh and the statement of his wife Gabo shows what excesses the police committed there. I reached the spot next morning by 12 o'clock. Comrade Ram Nath and Dalip Singh, social workers, were with me. I may tell you that the pathetic statement of Mata Gabo about the brutal and inhuman action of the police is enough to bring tears to the eyes of every one who cares to listen to her. I was submitting that two motor lorries of police arrived in village at midnight including some British officers as well. They knocked at the door of Sardar Jiwan Singh and thundered on him "Why don't you open the door? You cannot be left to yourself to enjoy a sound sleep while you have in your possession illicit liquor." To this he replied from inside the house that his wife and other women of the family were sleeping and the police should allow them some respite to put on their clothes. But the police replied "there is no need to put on clothes. We are here to search their person. (*Voices : "Shame, shame."*)

**Mr. Speaker :** The word 'shame' is not parliamentary.

**Shrimati Raghbir Kaur :** I notice some peels of laughter on the faces of the members opposite while I was weeping over the disgrace to which women were put by the police. It is a pity that the responsible ministers who were expected to safeguard the honour of these helpless women, should have the audacity to indulge in laughter.

**Dr. Shaikh Muhammad Alam :** Disgraceful.

**Mr. Speaker :** This word also is unparliamentary, so, I request the honourable member to withdraw it.

**Dr. Shaikh Muhammad Alam :** I am sorry. I thought it was another equivalent for 'shame'. I withdraw it as per your ruling and will search for a better word.

**Sardar Hari Singh :** On a point of order. The word 'disgraceful' when used in respect of an honourable member of this House is unparliamentary, but when it refers to the actions of police, it is not unparliamentary.

**Pandit Shri Ram Sharma :** Is it parliamentary to thump benches ?

**Mr. Speaker :** I will give my ruling when that question arises.

**Shrimati Raghbir Kaur :** Sir, my honourable friend opposite has remarked that those persons should have got themselves medically examined. But I would ask, how can the poor peasants who are unable to pay even the land revenue to the Government afford to pay the medical inspection fees ? I fail to understand how those people are dubbed as 'badmashes' who provide food for the whole of the province and who are responsible for financing high salaried ministers. Besides, the statement of Mata Gangi to the effect that the police drove out their cattle and showered foul abuses on them is quite correct as I have verified it, by reaching there in person by 12 o'clock the next morning. Nevertheless the Government proclaims that their police is very civilised. The Honourable Ministers will recollect that my deceased sister Bibi Parbati Devi and I myself described the excesses of the police, during Simla session. I wonder in which school the Government trains them for committing such inhuman acts. If time be spared, I hope to explain how some poor zamindars have been utterly ruined by the police.

A red turbaned police man enters a village, abuses the inhabitants, beats them and even insults the women-folk. Is that the treatment of your civilised police of which you are so proud ? I would ask the Honourable Ministers whether they should laugh on these facts. Our Government should be ashamed of it. I am well aware of the fact that you have been elected by the help of the zamindars. You should, therefore, look after their welfare and protect them from the atrocities of police. I am sure, the Government would be surprised to know the highhandedness of police if expressed threadbare on the floor of this House. In short, I may request the Government that they should take serious steps in telling the police that their main object is to serve the people and not to trouble them. When the Honourable Ministers say that they are our servants, I attach really no importance to their words, because I have come to know that there is no iota of truth in their words at all. They play with words and they are found to be great

[Shri. Raghbir Kaur.]

experts in making false promises. My father told me that when the Government members went to Khankah Dogran in Sheikhpura district he heard them with his own ears that they were deceiving the local public by saying that they were their servants. Now, my humble request to them is that their words will be judged by their actions only and, therefore, they must make every attempt to show us that they are actually the servants of the province. If they safeguard the honour of the women-folk of the country if they do not get them nakedly beaten by the police and if the innocent people are no longer reproached and troubled by the police we will take them to be the servants of the people.

Before I resume my seat, I want to submit one point more and that is this; that the present is an age of light. We are more vigilant now and nothing escapes our watchful eyes. I may inform the Government that the people of the present age have become too wakeful to be taken in by them. Now, the sun of freedom has risen and the time has gone when you could easily deceive the public by your verbose language. They are no longer to be your victims now. With these words I resume my seat.

**Dr. Shaikh Muhammad Alam:** On a point of order, Sir. After the decision that has been arrived at in the Speaker's Conference at Delhi, are we allowed to speak in Urdu?  
4 P.M.

**Mr. Speaker :** That point has already been raised and decided.

**2nd-Lieut. Bhai Fatehjang Singh** (South-East, Sikh, Rural) : Sir, my honourable friend, the mover of the motion, with his vast knowledge and experience is fully aware of the facts that are an obstacle in the ways of the police force detecting crime. It would not be out of place if I mention two facts. Firstly, insufficiency of the police force in number and secondly misinformation that is given by public spirited informers to the police. There are some informers who are themselves a party to certain crime that is being committed in certain places. Such informers go to the police station and misinform the police officials about the crime in an exaggerated manner and then give time to their associates to clear away. As regards insufficiency of members of the police force, I would say that each police station covers an area of about 20 miles where there is a population of 50 to 60 thousand people. The police force in every police station varies between 12 and 20 including the sub-inspector in charge. How is it possible for the police to go from place to place and detect crime which they are supposed to do and which it is the moral duty of every spirited servant of the Government? The only method open to them is to rely upon information of suitable, respectable and responsible gentlemen of the public. I am sure, if the police do not act on the information received and do not entertain complaints which are made to them, then that mere fact would somehow or other be a cause of moving another adjournment motion and it may be put in this way that the police has failed to entertain the complaint of so and so ('Hear, hear' from the Treasury benches) and this violates the law in force. In this particular case my honourable friend has mentioned that there were some 60 policemen who went and raided the village at about 12 o'clock in the night. I am inclined to ask the House to look at this matter not from the party point of view but from the point of view of a serious question concerning the whole province. If the police had been informed at

about 12 in the night and if they did not embark on their mission, would they be justified? The answer to my mind is 'no'. The only course open to the police was to act at once on the information received. The duty of the police is to crush down the crime. X

Secondly, it is said that the police raided and broke open doors of certain houses at 12 o'clock in the night. I would again like to ask the honourable mover as to what course should have been adopted to follow and find out the criminal who has committed the crime. If such methods of raid and ransacking are not adopted at the proper moment, then the criminals will try to clear away. If a police officer comes to know that at such and such place so much stolen property and so much liquor without authorisation is lying, then do you mean to say that he should first ask the criminal as to when it would be convenient to make a search of his house and then go there, knock at the door and send his bearer in with a visiting card and then see him and say, 'Look here, I have come here, would you please hand over to me all the things concerning the crime.'? I am sure nowhere in the world is this practice known. The police are quite justified in embarking on raids of any kind suitable to them provided that it is in the public interest. In this particular case there is no denying the fact that the action of the police was in the best interest of public safety and the mere moving of this adjournment motion is detrimental to the safety of the public. Why? Because it will encourage the criminals and will discourage the public spirited servants of the public. As I understand, it is not the same province as it was 20 years ago, but still the autonomy, which is in its infancy to-day, is not understood by the general masses. But what I gather from my experience is this that a fellow, who is an injurious criminal, and a fellow, who is supposed to be very clever in his ways and means, always plays a double game. On the one hand he goes to inform police authorities and says 'Look here, I will take you to such and such place, at such and such time and I will try to recover so much illicit liquor and so much other stolen property and so on.' On the other hand he goes to criminals and says, 'Do not worry, the Punjab is changed, India is changed. What can the police do? I know such and such M.L.A. and if the law is violated and if undue pressure is brought on you, I shall have an adjournment motion moved in the Assembly. (Hear, hear). Do not worry. You are quite safe and so on. X

The clear duty of everyone in this House is one of co-operation.

**Sardar Hari Singh :** On a point of order, Sir. The honourable member has just now stated that when members go to their constituencies they mix up with the *badmashes* there. He was referring to a member of this House and thus making insinuations against an honourable member. We shall move an adjournment motion in the House on that point. (Voices : No).

**2nd-Lieut. Bhai Fatehjang Singh :** I am afraid my honourable friend has misunderstood me. I said something to the following effect.

These mischief-mongers who go and induce people on one hand say, "Well you do not worry if the law is violated and if undue pressure is brought on you." They go still further than that and say, "We shall have an adjournment motion moved in the Assembly".

**Dr. Shaikh Muhammad Alam :** We accept the explanation.

**2nd-Lieut. Bhai Fatehjang Singh :** The fact which has been brought to the notice of the House by the honourable members who spoke before me was that this matter was unnecessarily delayed and, as a matter of fact, it was kept away from the immediate authorities of the district concerned and it was not proper to move the matter in the House by way of an adjournment motion, this alone shows the tendency and the object of the motion of my honourable friend. My honourable colleagues here could not have been at the spot of the occurrence, so I quite easily say that their informers had a special motive behind their mind when they spoke to my honourable colleagues and misconstrued and laid exaggerated facts before them. The reason for this can be only one. There may have been a case or there may have been an incident where the police officer might have dealt in a way as the law required and which this party did not approve of and for the purpose of taking revenge or for the purpose of scorning the police and the administration of the country, the fellow had approached my colleague with an exaggerated and misrepresented report (*hear, hear*). I would now contradict my honourable friend the mover of the motion with his own very words. The allegation, as far as I understand, that the police raided the house at 12 in the night. I would like to know as to what procedure the police should adopt. The only ordinary procedure to detect crime is to go at random and to surprise the criminal. Where was the police unjustified in going and knocking the House at night? With these remarks and with these few facts that I have laid before the House, I would appeal to the House that this adjournment motion should not be allowed as it is very detrimental to the public peace. I would, therefore, request the House to oppose this motion (*cheers*).

**Pandit Shri Ram Sharma** (Southern towns, General, Urban) (*Urdu*): Sir, the adjournment motion under discussion relates to one of those great deeds of the police force which are a matter of daily occurrence in the province. Such occurrences, I may be allowed to say, have become the order of the day, and that is why, we do not consider it necessary to bring all such cases to the notice of the Government. All that we want to say is that the general administration of the police is highly objectionable, and we can only hope that the present state of affairs would grow worse day by day. We would not have cared to bring this particular case to the notice of the Government had it not been our intention to express our resentment at the failure of the police in maintaining peace and order in the province which is its first and foremost duty. We were under the impression that after the 1st of April the conditions prevailing in the province would improve. This does not mean that we have any confidence in the present ministry. Instead of there being any improvement in the conditions prevailing in the province they are getting worse day by day.

It is a strange argument that the government officials are not angels, they are as much prone to commit mistakes as the general public is. It is indeed a matter of regret that the officials who are appointed to safeguard the interests of the people are guilty of serious dereliction of duty.

It has been remarked that such matters should not be discussed in the form of adjournment motions, on the other hand whenever such occurrences

take place they should be reported to the authorities straight off and brought to the notice of the Minister concerned. Sir, with your permission, I would like to say something about my own experience in an occurrence which recently took place in my district which fortunately or unfortunately is the native district of the Honourable Chaudhri Sir Chhotu Ram also (*laughter*) and which is subjected to continuous cruelty and injustice at the hands of the police. Just after the aforesaid occurrence I toured the whole *ilaga* and saw with my own eyes the marks of police high-handedness, and took the statements of the victimised persons. It is said that adjournment motions are moved in the House at the instance of some irresponsible persons. It means that the movers of such motions are also irresponsible persons. Sir, if we are irresponsible persons then God alone knows who are responsible persons (*laughter*). We and the responsible ministers belong to the same class.

I will now read out to the Assembly my statement on the basis of my inquiry, which was published in the newspaper, the *Haryana Tilak* of Rohtak. It relates to an occurrence which took place in the Sonapat tahsil at village Malikpur on 21st October 1937.

**Chaudhri Tikka Ram :** The case is *subjudice* and my honourable friend is not entitled to refer to it.

**Pandit Shri Ram Sharma :** No, Sir, I would not discuss any matter which is *subjudice*. I will read out the statement in question which shows that the police has been carrying on a campaign of repression in the said tahsil, which is the constituency of Chaudhri Tikka Ram, who has just interrupted me.

موضع ٹکولہ سے دو میل کے فاصلہ پر پولیس کی لاری موضع ملک پور میں پہنچی۔ نمبرداران کو جمع کر کے کانگرس والوں کو چوڑیاں مین بلیا۔ شیو سہائے اور بنسی سفار کے مکانات کی تلاشیوں لیں۔ کانگرس کا جھنڈا اور رجسٹر ممبران حاصل کرنے کے لئے جو ہر دو جگہ سے نہیں ملے شیو سہائے سنگھ کے مکان سے ایک کھات کی باہی جھنڈے کا بانس سمجھکر اُٹھا لی۔ گھاسی مہاجن جو اچھے مکان پر نہیں تھا اس کے گھر میں پولیس اور خود تہانیدار گھس گئے۔ عورتوں کو مغلاں گلیاں دیں اور کہا کہ اگر یہ اپنا آدمی چھپاتی ہیں تو ان کو اُٹھا کر موٹر میں ڈال لو۔ اتنے میں گھاسی رام آ گیا تو اسے گھر کے اندر ہی عورتوں کے سامنے خوب زد و کوب کیا اور مندرجہ ذیل ممبران کو حراست میں لیکر موٹر میں بٹھا لیا۔ تہانیدار نے لوگوں کو مخاطب کر کے یہ بھی کہا کہ ان دیہات نے کانگرس کمیٹیوں قائم کر کے ”میری ناک کاٹ لی ہے“۔

[Pt. Shri Ram Sharma.]

(Interruptions): I cannot brook this sort of interruption any longer, and would, therefore, proceed with my charge-sheet against the police—

”جس وقت موٹر لاری روانہ ہونے لگی تو کہہ بچوں نے مہاتما گاندھی کی جے بولدی۔ بس پھر کیا تھا تھانیدار اور سیدھی موٹر سے اتر آئے۔ جسکو سامنے دیکھا بری طرح سے لالچیاں مارنی شروع کر دیں۔ جب کہاسی رام مہاجن نے پولیس کو کہہ کہا کہ آپ بے قصور آدمیوں کو کیوں مارتے ہیں تو اسکو بری طرح سے پیٹتا گیا اور پولیس نے لوگوں کے پیچھے ہلہ بول دیا مگر دن اور دوکانوں پر بیٹھے ہوئے آدمیوں کو پیٹتا اور تمام گاؤں میں لالچی چارج کا مارشل لا کر دیا۔“

Now let us consider why it is that the residents of this village were so brutally victimised by the police. Were there any bad characters whose arrests were in view or did the police want to apprehend the illicit distillers everywhere? To my mind, the only offence that the villagers had committed, was that they had brought into existence a Congress Committee in their village. But I would like to ask one question. Does the presence of a congress committee in a certain village, warrant the Government officials to commit all sorts of atrocities on the villagers?

**Khan Bahadur Nawab Chaudhri Fazal Ali:** When was the congress committee formed in that village?

**Pandit Shri Ram Sharma:** One or two months ago. So far as the question of informing the local authorities is concerned, I may point out that I intimated these facts to the Honourable the Premier who denied me even the ordinary courtesy of a reply. In cases of such highhandedness when the local authorities are approached, to my utter disappointment, I am asked to submit a duly stamped application by the victimised persons as if it was our aim to multiply litigation. When I experience such difficulties and watch the police excesses with my own eyes, the echoes of the empty rhetorics of my honourable friends like Mir Maqbool Mahmood and Mian Mushtaq Ahmad Gurmani begin to reverberate in my ears with all their hollowness. The utopia which these honourable members bring into existence with their eloquent speeches, melts away into nothingness at the very touch of realities. Sir, I am constrained to remark that when Ministers and the local officers turn a deaf ear to the requests made by the honourable members of this honourable House, how can they be expected to pay any heed to the humble submissions of the ordinary persons who carry no influence with them? The pity of this all is that when we bring these glaring shortcomings of the Government officials to light, we are charged with exaggerating the real facts. We are taken to task for expressing the grievances of the public as if the duty of the elected representatives of the people it was, to connive at the sufferings of the public at large.

Besides, the members opposite seem to think that if police go on committing such atrocities, their party will gain in strength and prestige and further more that if police refrain from such things the whole administration

will come to a stand-still. On the other hand I would like to tell them, through you, Sir, that if this state of affairs continues any longer, the coffin of the Unionists will be carried on the shoulders of the very police whom they are always out to protect. If the Government connives at the police doings, such as, harrassing the innocent citizens and disgracing and insulting the women folk, it may rest assured that, its fate is already sealed, and for our part, suffice it to say, that we are neither enamoured of making complaints nor have we any mania for exaggerating the grievances of the people. But the fact is that the sufferings of our people and the unsympathetic replies of the Government compel us to raise our voice against them, however feeble it may be. X

There is yet another instance which I would like to quote. I reported a serious matter to the Deputy Commissioner, Gurgaon, who replied, "This does not relate to you. Let the people concerned come forward with their grievances." This is how the local authorities behave with the honourable members and when we bring these facts to the notice of the Government, they too fail to redress the grievances. If we write to Ministers, no reply is given to us. Nevertheless the members opposite try to mislead and persuade us by their empty rhetorics to believe that the whole army of officials is there to help us. Under these circumstances would we be well advised not to ventilate, in future, any public grievances at all? We are expected to do things which we cannot afford to perform. For instance, we are asked to get the victims of the police medically examined and prosecute the offenders, while, as a matter of fact we hate entering into litigation. Again we are asked to leave the ignorant people to help themselves and if we venture to say anything for them, we are discouraged both here in this House as well as outside it. X

To revert again to the excesses of the police, I would like to suggest that it should mend its ways and try to behave well even with the bad characters, just as the police in other countries like England does. In the end I would like to sound a note of warning to the Unionists, that they should put a stop to mal-practices of the police, otherwise they would be thrown out of power themselves. With these few words I beg to support the motion moved by my honourable friend from Ambala. X

(Voices : Question be now put.)

**Mr. Speaker :** The question is—

That the question be now put.

*The motion was carried.*

**Lala Duni Chand :** Sir, I want to say that the two honourable members, Mir Maqbool Mahmood and Khan Bahadur Mushtaq Ahmad Gurmani have added insult to injury. I want to tell them particularly that it was the attitude and the speeches of the kind that these two gentlemen have made that brought about the French revolution. I could understand if Mir Maqbool as a responsible parliamentary secretary had stated that excesses were committed and we are sorry for that. I could appreciate his attitude. He said he was not going to allow these Opposition people to use each and every stick to beat the back of the policemen with. In return I want to tell him we are not going to allow the Unionist party to use

[L. Duni Chand.]

every kind of stick to beat the people of the province with. If we are not able to do anything else we are going to protect the people of this province.

I congratulate my friend Sardar Fateh Jang Singh on his maiden speech. I very much regret (*A Voice*: He comes from your district). Yes, he is my friend and he comes from my district. I very much regret for the views which he has propounded. I know that his constituency has not sent him to propound these extraordinary views which he has propounded to-day. Mir Maqbool Mahmood said that this force of 60 policemen went to get at badmashes and to detect crime. What is the law with regard to the detection of crime?

He has not stated that any report was registered with the police regarding the commission of any crime notwithstanding that nearly all the people of the village are criminals. The hard fact is that a police force of 60 men could not find any trace of any kind of crime. As my learned friend Pandit Shri Ram Sharma has stated even assuming that all the people of this village are criminals (*Voices from Treasury benches*: Nobody said that) they should not have been treated in the high-handed manner in which they have been treated. Some of the speakers have stated that I and other men like me are capable of entering into conspiracies with certain voters in order to raise such questions. Perhaps, I may inform honourable members of this House that I happened to be there by chance when the election of Sardar Kishen Singh was going on. It was in connection with the election that Dr. Satya Pal, President of the Provincial Congress Committee and many other persons happened to be in that village. This is the height of *zabardasti* that has been perpetrated by some members of the Unionist Party. I shall be very happy if the Unionist Party in time takes the real situation into consideration. If they go on merrily, and allow their subordinates to go on merrily in the way in which they are going, the day of their doom is not very far off.

**Sardar Sahib Sardar Ujjal Singh** (Western Towns, Sikh, Urban): Sir, my honourable friend, Mir Maqbool Mahmood has placed all the facts regarding the subject matter of the motion. I shall only briefly reply to some of the points raised by the honourable members opposite. The raid that was made on the 29th November last to which this motion relates, was one of a number of raids that have been carried out during the last two months by the police force. It has been said by the honourable members sitting on the opposition benches that this particular raid was made for the only reason that the village happened to be a congress-minded village and that there was a congress committee in this village. If we are to accept this argument I would ask my honourable friend from Ambala to reply whether all the hundred raids that were made during the last two months were made in the congress-minded villages or the villages in which there were congress committees. Even if we take him at his word that this village is wholly congress-minded, it reflects no credit to the congress that in a village which is said to be congress-minded there should be no less than 9 bad characters under surveillance and no less than 39 *ex-convicts* in crimes of cases of illicit distillation, burglary and theft. Some of the bad characters of the village go out of the village and commit burglaries. The facts are, that during 1937, seventeen offences of burglary were committed by the people

of this village, two cases of illicit distillation were traced to this village of Katani. It is for this reason that on the receipt of information the police had to carry out this raid. We have got to test this motion from two points of view. First, whether this raid was carried out unnecessarily, or whether there was any justification for it and secondly, whether the authorities did not take sufficient precautions that no harsh treatment was meted out to the villagers. With regard to the first, my honourable friend Mir Maqbool Mahmood has placed all the facts that this *thana* in which this village is situated happens to be the most criminal *thana* and that crime has increased by 66 per cent.

**Lala Duni Chand :** This is the tribute that you are paying to the agriculturists.

**Sardar Sahib Sardar Ujjal Singh :** We have to face facts as they are.

In this village Katani, as I have already stated, in 1937 seventeen cases of burglary were committed by the people of the village. As regards the precautions taken by the authorities I might submit that this raid was carried out under the direct supervision of a gazetted officer and three inspectors. You cannot expect that a gazetted officer—

**Sardar Sampuran Singh :** We do expect. We have instances of their misbehaviour.

**Sardar Sahib Sardar Ujjal Singh :** My honourable friend is not in possession of facts. The facts are that this raid was carried out under the supervision of officers. The harsh treatment that is said to have been meted out to the villagers is a story. I must contradict on the floor of the House the statement made by the lady member that some women were taken out naked and beaten. There is absolutely no foundation for this statement. No woman was maltreated. I may also add that the Deputy Commissioner has made enquiries (*Lala Duni Chand* : Through whom ?) and he states that he is fully satisfied that the allegations made in the motion are absolutely baseless.

**Lala Duni Chand :** Is the honourable member prepared to go with me to that village to-morrow ?

**Sardar Sahib Sardar Ujjal Singh :** As has already been stated, the villagers did not make any report either to the higher authorities or to the police or to any member of Government, or even to any court. I was simply surprised to learn from my honourable friend from Rohtak (Pandit Shri Ram) that his complaint on one occasion addressed to the Honourable Premier was not properly paid attention to. I shall bring this point to the Premier's notice and I can assure the House that any representation made by any honourable member will be promptly attended to.

**Sardar Partab Singh :** Has the police taken any action against the informer who gave wrong information in this case ?

**Sardar Sahib Sardar Ujjal Singh :** I am not aware of it, Sir. But it appears that the information leaked out and illicit liquor was removed. I am not sure about it, but if it is proved that the informer made a wrong report, probably action will be taken by Government.

[S. S. Sardar Ujjal Singh.]

We must all realise that the police has got to perform a very unpleasant duty. In order that we may all live in peace and follow peaceful vocations, the police has got to check the unlawful activities of bad characters and of men with criminal propensities. (*A voice*: But do they?) Yes. (*Another voice*: They encourage them). They have got to carry out their duties, sometimes at great personal risk, but they must do it. Yet some of us in season and out of season condemn the police force instead of thanking them for the preservation of order and peace in the country. I fully realise that the police force under the changed circumstances must consider themselves servants of the public (*hear, hear*), and that attitude of mind has got to be adopted by the police force. They must learn to be more polite and behave in a manner so that the law abiding citizens may run to them for help. (*A voice*: Thank you). But it must be understood that the public on its side, has also got to change its hostile attitude towards the police force. In this particular case I am sure the House will agree with me that there is no justification for censuring the police force in the performance of their duties. As a matter of fact the force did its work in a perfectly honest manner and if there was any case of harsh treatment or any complaint of the treatment as alleged by the honourable mover of the motion, the matter would have been attended to by the authorities. (*A voice*: Nothing short of an abject apology from Government would satisfy us). I hope the House will reject this motion. (*A voice*: Is there any doubt about it?)

**Mr. Speaker** : The question is—

That the Assembly do now adjourn.

*The Assembly divided* : Ayes 31, Noes 79—

#### AYES.

Bhagat Ram Choda, Lala.  
Bhagat Ram Sharma, Pandit.  
Chanan Singh, Sardar.  
Deshbandhu Gupta, Lala.  
Duni Chand, Lala.  
Gokul Chand Narang, Dr. Sir.  
Gopi Chand Bhargava, Dr.  
Hari Lal, Munshi.  
Hari Singh, Sardar.  
Harjab Singh, Sardar.  
Jalal-ud-Din Amber, Chaudhri.  
Kabul Singh, Master.  
Kapoor Singh, Sardar.  
Kartar Singh, Chaudhri.  
Kartar Singh, Sardar.  
Kishan Singh, Sardar.

Lal Singh, Sardar.  
Muhammad Abdul Rahman Khan,  
Chaudhri.  
Muhammad Alam, Dr. Shaikh.  
Muhammad Hassan, Chaudhri.  
Muhammad Iftikhar-ud-Din, Mian.  
Mula Singh, Sardar.  
Muni Lal Kalia, Pandit.  
Partab Singh, Sardar.  
Prem Singh, Mahant.  
Raghubir Kaur, Shrimati.  
Rur Singh, Sardar.  
Sampuran Singh, Sardar.  
Shri Ram Sharma, Pandit.  
Sohan Singh Josh, Sardar.  
Sudarshan, Lala.

#### NOES.

Abdul Hamid Khan, Sufi.	Afzaalali Hasnie, Sayed.
Abdul Haye, The Honourable Mian.	Ahmad Yar Khan Daulatana, Khan.
Abdul Rab, Mian.	Bahadur Mian.
Abdul Rahim, Chaudhri (Gurgaon).	Ahmad Yar Khan, Chaudhri.

- Akbar Ali, Pir.  
 Ali Akbar, Chaudhri.  
 Amjad Ali Shah, Sayed.  
 Ashiq Hussain, Captain.  
 Badar-Mohy-ud-Din Qadri, Mian.  
 Balwant Singh, Sardar.  
 Chhotu Ram, The Honourable Chaudhri Sir.  
 Dasaundha Singh, Sardar.  
 Faiz Muhammad, Shaikh.  
 Fateh Jang Singh, 2nd Lieut. Bhai.  
 Fateh Khan, Raja.  
 Fateh Muhammad, Mian.  
 Fazl Ali, Khan Bahadur Nawab Chaudhri.  
 Fazal Karim Bakhsh, Mian.  
 Few, Mr. E.  
 Ghazanfar Ali Khan, Raja.  
 Ghulam Mohy-ud-Din, Maulvi.  
 Ghulam Rasul, Chaudhri.  
 Girdhari Das, Mahant.  
 Gopal Das, Rai Sahib Lala.  
 Gopal Singh (American), Sardar.  
 Gurbachan Singh, Sardar Sahib Sardar.  
 Hans Raj, Bhagat.  
 Het Ram, Rai Sahib Chaudhri.  
 Indar Singh, Sardar.  
 Jagjit Singh Man, Sardar.  
 Jahan Ara Shah Nawaz, Mrs.  
 Jahangir Khan, Chaudhri.  
 Jogindar Singh Man, Sardar.  
 Karamat Ali, Shaikh.  
 Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major.  
 Kishan Das, Seth.  
 Manohar Lal, The Honourable Mr.  
 Maqbool Mahmood, Mir.  
 Muhammad Ashraf, Chaudhri.  
 Muhammad Faiyaz Ali Khan, Nawabzada.  
 Muhammad Hassan Khan Gurchani, Khan Bahadur Sardar.  
 Muhammad Hayat Khan Noon, Nawab Malik Sir.  
 Muhammad Hussain, Sardar.  
 Muhammad Hussain, Chaudhri.  
 Muhammad Nawaz Khan, Major Sardar.  
 Muhammad Raza Shah Jeelani, Makhdumzada Haji Sayed.  
 Muhammad Saadat Ali Khan, Khan Sahib Khan.  
 Muhammad Shafi Ali Khan, Khan Sahib Chaudhri.  
 Muhammad Wilayat Hussain Jeelani, Makhdumzada Haji Sayed.  
 Muhammad Yasin Khan, Chaudhri.  
 Mukend Lal Puri, Rai Bahadur Mr.  
 Mushtaq Ahmad Gurmani, Khan Bahadur Mian.  
 Narendra Nath, Diwan Bahadur Raja.  
 Nasir-ud-Din Shah, Pir.  
 Nasrullah Khan, Rana.  
 Naunihal Singh Mann, Lieutenant Sardar.  
 Nawazish Ali Shah, Sayed.  
 Nur Ahmad Khan, Khan Sahib Mian.  
 Nurullah, Mian.  
 Riasat Ali, Khan Bahadur Chaudhri.  
 Ripudaman Singh, Thakur.  
 Sahib Dad Khan, Khan Sahib Chaudhri.  
 Shahadat Khan, Khan Sahib Rai.  
 Shah Nawaz Khan, Nawab Khan.  
 Sham Lal, Rai Bahadur Chaudhri.  
 Singha, Mr. S. P.  
 Sita Ram, Lala.  
 Sultan Mahmood Hotiana, Mian.  
 Sumer Singh, Chaudhri.  
 Sundar Singh Majithia, The Honourable Dr. Sir.  
 Suraj Mal, Chaudhri.  
 Tara Singh, Sardar.  
 Tikka Ram, Chaudhri.  
 Ujjal Singh, Sardar Sahib Sardar.  
 Umar Hayat Khan, Chaudhri.  
 Wali Muhammad Sayyal Hirej, Sardar.

*The Assembly then adjourned till 11 A. M. on Thursday, 13th January, 1938.*

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is essential for ensuring transparency and accountability in the organization's operations.

2. The second part of the document outlines the various methods and techniques used to collect and analyze data. It includes a detailed description of the sampling process and the statistical tools employed to interpret the results.

3. The third part of the document presents the findings of the study. It provides a comprehensive overview of the data collected and the conclusions drawn from the analysis. The findings indicate that there is a significant correlation between the variables studied.

4. The fourth part of the document discusses the implications of the findings and offers recommendations for future research. It suggests that further studies should be conducted to explore the relationship between the variables in greater depth.

5. The fifth part of the document provides a summary of the key points discussed throughout the report. It reiterates the importance of accurate record-keeping and the need for ongoing research in this field.

6. The sixth part of the document includes a list of references to the sources used in the study. These references provide additional context and support for the findings presented in the report.

7. The seventh part of the document contains a list of appendices, which include supplementary information such as raw data, detailed calculations, and additional charts or graphs.

8. The eighth part of the document is a concluding statement that summarizes the overall purpose and outcome of the study. It expresses the hope that the findings will be useful to the organization and its stakeholders.

9. The ninth part of the document is a list of acknowledgments, thanking the individuals and organizations that provided support and assistance during the course of the study.

10. The tenth part of the document is a list of footnotes, providing additional information and clarifications for the text.

# PUNJAB LEGISLATIVE ASSEMBLY.

1ST SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Thursday, 13th January, 1933.

*The Assembly met at the Council Chamber, at 11 A.M. of the clock. Mr. Speaker in the Chair.*

## OATH OF OFFICE.

*Sardar Baldev Singh (Ambala North, Sikh, Rural), was sworn in.*

## STARRED QUESTIONS AND ANSWERS.

### DAMAGE BY NAKTI NADI.

**\*858. Lala Duni Chand :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that a hill torrent called Nakti Nadi, running along Sadhaura town in Ambala district, devastated about fifty houses prior to the last rainy season and another 20 houses during the last rainy season ;
- (b) whether it is a fact that more than a year ago the people of Sadhaura made strong representations to the district and other authorities concerned to save the part of the town exposed to danger, on account of the said nadi having shifted its course nearer *abadi* ;
- (c) whether it is a fact that about a year ago the local municipality paid Rs. 1,750 and the public of the town paid Rs. 1,250 to the District Board, Ambala district, on the clear understanding that the Government would contribute Rs. 12,000 and the work of putting up a protective dam would be immediately started ;
- (d) whether it is a fact that nothing has been done so far ;
- (e) whether it is a fact that a resolution passed in a rural conference held in Sadhaura in July last requesting the Government to take earliest steps to start the work was communicated to the Government ;
- (f) whether it is a fact that the houses destroyed by the hill torrent mostly belonged to the extremely poor class of the people ;
- (g) if so, the steps that the Government proposes to take to save the town from further destruction and to afford relief to the people whose houses have been destroyed ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) Yes, a representation was received sometimes back.

(c) The contributions are as under :—

	Rs.
Municipal Committee, Sadhaura ..	1,750
Inhabitants of the town .. ..	1,399
District Board, Ambala .. ..	2,000
Government .. ..	3,800
Total .. ..	8,449

(d) The statement that nothing so far has been done is incorrect. The work is in progress and is expected to be completed by the end of this financial year.

(e) Government do not appear to have received any such resolution.

(f) Yes.

(g) As already stated, the construction of the *bund* will, it is hoped, be completed shortly and will give the town protection from further damage. The question of affording relief to those who have suffered is under consideration.

**Lala Duni Chand :** Is it not a fact that more than 100 houses have been swept away ?

**Minister :** No.

**Lala Duni Chand :** How many ?

**Minister :** About 60.

**Lala Duni Chand :** Is it not a fact that these houses belong to poor people ?

**Minister :** I think my reply is quite clear.

**Lala Deshbandhu Gupta :** What do the Government propose to do with those who suffered on account of lack of proper action not having been taken by the Government ?

**Minister :** There is no lack of proper action at all in this.

**Lala Deshbandhu Gupta :** Has not the action been delayed ?

**Minister :** There is no action delayed.

**Lala Duni Chand :** Is it not a fact that the destruction of the houses started about two years ago.

**Minister :** No.

**Lala Deshbandhu Gupta :** When did it start ? Have Government no information about that or is it not in the public interest to disclose it ?

**COPYISTS IN DISTRICT AND SESSIONS JUDGES COURTS.**

**\*859. Lala Duni Chand :** Will the Honourable Finance Minister be pleased to state—

- (a) whether it is a fact that under the existing rules the Urdu copyists do not get more than 8 or 10 rupees a month while the English copyists do not get more than 30 or 35 rupees a month ;
- (b) the steps, if any, the Government propose to take to improve the present lot of copyists ?

**The Honourable Mr. Manohar Lal :** (a) This is not generally correct but is true of a few districts.

(b) The question of the reorganisation of copying agencies under the control of District and Sessions Judges is already under the consideration of Government.

**Lala Duni Chand :** It has been admitted by the Honourable Finance Minister that it is true of a few districts that Urdu copyists are getting 8 or 10 rupees a month. Is it not a starving wage ? What action does the Government propose to take ?

**Minister :** I have already said that the matter is under the consideration of the Government.

**Pandit Muni Lal Kalra :** Since when are such conditions prevailing ?

**Minister :** I have no idea.

**Lala Duni Chand :** Will the Government assure us that action will be taken very soon ?

**Minister :** The matter is being considered.

**NAIB-TAHSILDAR, DASUYA.**

**\*860. Sardar Hari Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether he is aware that certain complaints against Naib-Tahsildar, Dasuya, district Hoshiarpur, regarding ill-treatment of public were recently made to the Deputy Commissioner, Hoshiarpur ;
- (b) whether an inquiry has been instituted into the allegations made against him ;
- (c) what action is further proposed to be taken in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) No such complaints were made to the Deputy Commissioner.

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

**PROSECUTING SUPERINTENDENTS, ETC.**

**\*861. Khan Muhammad Yusaf Khan :** Will the Honourable Premier be pleased to state—

- (a) the number of prosecuting deputy superintendents, prosecuting inspectors and prosecuting sub-inspectors in the prosecuting

[Khan Muhammad Yusuf Khan.]

branch of the Punjab Police who have passed the LL.B. examination ;

(b) whether any preferential treatment is shown to them in the department regarding their promotion, grade, etc. ;

(c) if the answer to (b) above be in the negative, reasons for the same ?

**Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) :**

(a)—

<i>Rank.</i>	<i>Total Strength.</i>	<i>Number of Law Graduates.</i>
Prosecuting Deputy Superintendents.	8	1 Barrister.
Prosecuting Inspectors ..	38	2 Barristers. 11 LL.Bs.
Prosecuting Sub-Inspectors	96	88 LLBs.

(b) Yes. Academic qualifications are one of the points to which attention is given in deciding cases of promotion and the like.

(c) Does not arise.

**Pandit Muni Lal Kalia :** Does the Government propose to put a stop to the recruitment of non-LL.Bs. to the post ?

**Parliamentary Secretary :** Government has not considered this question yet.

**Pandit Muni Lal Kalia :** Does the Government propose to consider this question ?

**Parliamentary Secretary :** It will be considered in due course.

**Pandit Muni Lal Kalia :** When is the "due course" expected ?

**Parliamentary Secretary :** When the question arises.

**Lala Duni Chand :** Does the Government consider it very desirable that only LL.Bs. should be recruited ?

#### EMOLUMENTS OF ZAILDARS, ETC.

**\*862. Khan Muhammad Yusuf Khan :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether the emoluments of zaildars and *inamkhors* vary in various districts of the province ;

(b) whether the emoluments of zaildars and *inamkhors* in Rawalpindi district are lower as compared with those in the adjoining districts ;

(c) if the reply to (b) above be in the affirmative, the action the Government intends to take to remove this disparity ;

(d) if the answer to (c) above be in the negative, reasons for the same ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) Yes.

(c) and (d) No action is proposed. According to the existing rules on the subject, the emoluments of zaildars and inamdars vary from district to district, as they represent fixed percentages, namely, 1 per cent. for zaildars and  $\frac{1}{2}$  per cent. for inamdars, of the land revenue assessed in each district. This percentage has as a matter of fact been slightly exceeded in the Rawalpindi district.

#### MOSQUE IN VILLAGE RAKHI, SHAHPUR.

**\*863. Chaudhri Sahib Dad Khan :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that there was an old mosque in village Rakhi, Shahpur, tahsil Hansi, district Hissar, wherein the Muslims used to say their prayers ;
- (b) whether it is a fact that on 16th July, 1937, at the time of Friday prayers, *azan* was called aloud at which the local Hindus were provoked and they damaged the said mosque ;
- (c) whether it is a fact that the incident mentioned in (a) above was brought to the notice of the local police ;
- (d) whether it is a fact that the said mosque was demolished during the night between 3rd and 4th August, 1937 ;
- (e) whether it is a fact that the sub-inspector, police, of the local thana did not take any precautionary measures between 16th July, 1937, the date on which the said mosque was only damaged, and on which the report regarding the same was made to the police and 3rd August, 1937, the date of the demolition of the mosque ;
- (f) if the answer to (c) and (e) above be in the affirmative, the action taken against the said sub-inspector, police ; if no action was taken, reasons for the same ;
- (g) whether it is a fact that no action was taken against the said Hindus on their promise of restoring the material of the demolished mosque and the matter was hushed up ;
- (h) whether it is a fact that the Muslim patwari of the said village has since been replaced by a Hindu patwari ; if so, reasons for the same ;
- (i) the action taken against those who were responsible for the incident ?

**Parliamentary Secretary (Mir Maqbool Mahmood) :** (a)—(d), (g) and (i) : The building to which the question appears to relate is situated in a Muslim graveyard but is venerated by Hindus and Muslims alike. Whether or not it is a mosque appears to be disputed. Some months ago the Muslim kamins of the village made certain additions to the construction and began to call the Azan there. This was some time before the 16th July and so far as Government are aware no special events took place on that date. On the 19th July a report was made by the village watchman to

[Mir Maqbool Mahmood.]

the Station House Officer that there was danger of a breach of the peace in connection with the innovations. The Station House Officer visited the village and made inquiries. He was informed by members of both communities that the matter had been amicably settled in a panchayat. Subsequently, on the night of the 3rd/4th August, the additions made to the building are said to have been demolished. On receiving reports of this, the Station House Officer again went to the village, followed on the 5th August by a Muslim gazetted officer of police. Efforts have since been in progress to bring the parties to an agreement. There is no question of hushing up the affairs, but the local officers have preferred to reason with the parties rather than take precipitate action which might have further embittered feeling and caused permanent estrangement between the proprietors and menials in the village.

(e) As explained above, the Station House Officer took appropriate action immediately on receiving information of the dispute.

(f) Does not arise.

(h) No. The former Patwari has been transferred, but his successor is a Muslim.

**Khan Sahib Chaudhri Sahib Dad Khan :** If the parties do not come to terms, will the Government start the case or hush up the matter ?

**Parliamentary Secretary :** If unfortunately the parties fail to reach an agreement, presumably the law will take its course. I hope, however, that the officials and non-officials including my honourable friend, will do their best and will succeed in bringing about an amicable settlement.

**Pandit Muni Lal Kalia :** Is it a fact that the building in question is not a mosque ? Has this question been clearly decided ?

**Parliamentary Secretary** I have already answered that question. It is a disputed matter.

**Pandit Muni Lal Kalia :** Is it a fact that the building in dispute is not another Shahidganj ? (*Voices : Order, order.*)

**Khan Sahib Chaudhri Sahib Dad Khan :** Is it not a fact that the site of the building in question has been shown in the revenue papers as 'Maqbooza-i-Ahl-i-Islam' ?

#### COMPLAINTS AGAINST SUB-INSPECTOR OF POLICE, SACHAWAS.

\*864. **Pandit Shri Ram Sharma :** Will the Honourable Premier be pleased to state whether some persons have sent a representation to the Deputy Commissioner, Rohtak, against Sub-Inspector, Police, Sachawas, tahsil Jhajhar, through a member of the Punjab Legislative Assembly ; if so, the action taken in the matter ?

**Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) :** I understand that the honourable member who has put the question himself forwarded certain papers containing complaints against the Station House Officer of Sachawas (this is presumably the official to whom the

question refers) to the Deputy Commissioner of the district. They were returned to the honourable member with the request that he should direct the authors to authenticate them and present them direct to him or the Superintendent of Police. They have not so far done so.

**Pandit Shri Ram Sharma :** Is it a fact that five allegations were made against the sub-inspector in that complaint ?

**Parliamentary Secretary :** I have already answered that the complaint was not regularly sent to the Deputy Commissioner or to the Superintendent of Police as was requested. If a regular complaint is made, the matter will be thoroughly gone into.

**Pandit Shri Ram Sharma :** Sir, I enquired as to what those allegations were. Is it or is it not a fact that there were five allegations against the sub-inspector in question. ?

**Parliamentary Secretary :** I have already stated that the matter can only be enquired into if a regular complaint is made. But no regular complaint has so far been submitted by the honourable member although requested by the Deputy Commissioner. No description or number of the allegations can therefore be given.

**Lala Duni Chand :** Is there any particular form in which complaints of corruption should be sent to the Deputy Commissioner ?

**Parliamentary Secretary :** The Government has already issued a notification that complaints of this nature should be signed by five respectable persons.

**Sardar Sampuran Singh :** Does the Government in cases of bribery require information from the public in the form of regular complaints ?

#### AHIRRIS OF ROHTAK DISTRICT.

**\*865. Pandit Shri Ram Sharma :** Will the Honourable Minister for Finance be pleased to state—

- (a) the number of the Ahirris, villagewise, in the Rohtak District ;
- (b) on what ground and since when they have been included among the Criminal Tribes ;
- (c) the number of complaints filed against them during the last 5 years ;
- (d) the number of crimes and punishments, awarded to them during the last five years ;
- (e) whether the Ahirris of district Rohtak have sent representations to Government that they should be excluded from the list of Criminal Tribes as they are mere labourers and they do not commit any crime ; if so, the objections the Government has to the granting of their request ;
- (f) the conditions necessary for excluding them from the list of the Criminal Tribes ;
- (g) whether it is a fact that the Ahirris of many villages in the Hissar district have been excluded from the list of Criminal Tribes ?

**The Honourable Mr. Manohar Lal :** (a), (c) and (d). I regret that this information cannot be collected without an expenditure of time and labour out of all proportion to the results to be obtained.

(b) The tribe was declared as a criminal one in 1917. The reasons for their being so declared are indicated in section 8 of the Criminal Tribes Act.

(e) No such representations have been received.

(f) The attention of the honourable member is invited to Rules 24, 24-A and 25 of the rules made under section 20 of the Criminal Tribes Act.

(g) Yes.

**Lala Deshbandhu Gupta :** Is it a fact that the Deputy Commissioner, Hissar, has recommended some of these tribes to be excluded from that list?

**Minister :** I have no such knowledge. If the honourable member will give me notice I shall be glad to make enquiries.

#### DISTRICT BOARD, ROHTAK AND ITS ELECTION.

**\*866. Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

- (a) when the present term of the District Board, Rohtak, expires ;
- (b) whether the Government has added four more members to the present number of its members ;
- (c) whether it is necessary to make four new wards before the next elections take place ;
- (d) since when the question of making new wards has been before the Government and why this matter has not been decided so far ;
- (e) the steps Government propose to take to hold the elections at the fixed time ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) Ordinarily in August, 1938, but actually on the notification of the names of the successors of the present members.

(b) Yes.

(c) Yes.

(d) and (e) Since August, 1936. The proposals of the local officers have not yet been received. They have been asked to expedite the matter.

**Pandit Shri Ram Sharma :** Is it a fact that the time fixed for the elections expires in June, 1938 ?

**Minister :** In August, 1938, as I have already stated.

**Pandit Shri Ram Sharma :** After how long does the Government think these elections will take place ?

**Minister :** No time can be specified.

**Pandit Shri Ram Sharma :** Approximate time ?

**Minister :** No.

**Pandit Shri Ram Sharma :** Are there any special reasons for this delay ?

#### VACCINATORS.

**\*867. Pandit Shri Ram Sharma :** Will the Honourable Minister for Education be pleased to state—

- (a) whether Government have decided to appoint Rural Reconstruction Inspectors instead of vaccinators in the rural areas of the province in future ;
- (b) the grade of pay fixed for the said inspectors ;
- (c) whether the old vaccinators will be appointed as rural reconstruction inspectors, if not, why not ?

**The Honourable Mian Abdul Haye :** (a) Not yet. There is however a proposal that every district board should employ one Superintendent of Vaccination and Rural Sanitation for the district and one Inspector of Vaccination and Rural Sanitation for each thana. The district boards have been asked to agree to this proposal and replies in this behalf are being awaited.

(b) The pay proposed for Inspectors is—

			Rs.
1st grade	..	..	60—4—80
2nd grade	..	..	25—3—55

(c) It is proposed that existing Superintendents and Vaccinators in the employ of district boards should continue in their duties at their present rates of pay until such time as they have qualified themselves for the new appointments by passing the necessary examination in sanitary subjects.

**Lala Duni Chand :** Is it true that ordinarily vaccinators get payments from every village for vaccinating children ?

**Minister :** This does not arise from this question.

**Sardar Kapoor Singh :** Will these inspectors be paid by the Government or by the district boards ?

**Minister :** Of course, by the district boards.

**Sardar Kapoor Singh :** Will the Government give grants to the district boards ?

**Minister :** If a request is made, it will be considered.

**Pandit Shri Ram Sharma :** How many district boards have so far applied for the said grant ?

#### DISTRICT ENGINEERS, DISTRICT BOARD, HISSAR.

**\*868. Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that there are complaints against the District Engineer, District Board, Hissar ;

**Pandit Shri Ram Sharma.]**

(b) whether any complaints in writing against the District Engineer were recently made by some members of the District Board, Hissar, to the Chairman, with a request to put the matter before the Board ; if so, whether the Government is prepared to lay those complaints on the table ;

(c) if the answer to (b) above be in the affirmative, whether any action was taken by the Chairman, if so, what ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) and (b) Government is not aware of any genuine complaint against the District Engineer, Hissar, but it is understood that one complaint signed by two members of the Board was received in the office of the District Board, Hissar, and was put up before the Chairman on the 2nd August, 1937. Government is not prepared to lay the complaint on the table as it is not in the public interest to do so.

(c) The Chairman who was competent to do so did not permit the resolution accompanying the complaint to be put up before the Board as the matter in question had previously been decided by the Board after full consideration and the Chairman considered that no useful purpose could be served by a further enquiry.

**Pandit Muni Lal Kalia :** Were the complainants sent for when the enquiry was made ?

**Minister :** The first decision was made by the Board.

**Pandit Muni Lal Kalia :** Were they sent for ?

**Minister :** They are the members of the Board.

**Pandit Muni Lal Kalia :** Were they informed when the enquiry was made by the Board ?

**Minister :** Being members of the Board they ought to have been there.

**Pandit Shri Ram Sharma :** Did the two members in question produce some evidence in support of their allegations ?

**Minister :** The matter was fully gone into by the Board.

**Pandit Muni Lal Kalia :** What is the idea in saying that it is not in the public interest to lay the complaint on the table when an open enquiry has been made in the matter ?

**Minister :** Of course the enquiry must have been made, but the honourable member requires the complaint to be placed on the table.

**Pandit Muni Lal Kalia :** What is the idea in claiming a privilege that it is not in the public interest?

**Minister :** I do not claim any privilege.

**Pandit Muni Lal Kalia :** To say that it is not in the public interest to lay such and such a thing on the table is claiming a privilege.

**PURCHASE OF ROAD TAR BY MUNICIPALITIES IN DISTRICT  
HISSAR.**

**\*869. Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that every year the rates of Shalimar Tar No. 2 are fixed by the Public Works Department, Punjab, with the Tar Company, for fixed areas of this Province; if so, whether he will be pleased to lay the statement showing the different areas with the respective rates fixed for them;
- (b) whether the Deputy Commissioner, Hissar, made any inquiries from the Municipalities under his jurisdiction regarding the purchase of this tar; if so, whether the Honourable Minister will be pleased to give the list of those municipalities and the rates at which each of them purchased tar;
- (c) whether it is a fact that the Deputy Commissioner, Hissar, made such inquiries only from those municipal committees which were suggested to him by the District Engineer?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) No.

(b) No.

(c) Does not arise.

**CYCLING ON LAHORE CANAL ROAD.**

**\*870. Pandit Shri Ram Sharma :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that in a recent case between the Mahant incharge of Chobacha Sahib lands and the Irrigation Department, one of the Lahore Civil Courts decided that the Chobacha Sahib population had a right of passage on the left bank of the Lahore Canal and they could also use cycles on it; (*vide* suit No. 886 of 1932 in the Court of Shaikh Maqbul Ahmad, B.A., LL.B., P.C.S., Sub-Judge, 2nd Class, Lahore);
- (b) whether the Government is aware of the fact that the canal authorities though allow the pedestrians to take cycles with them on the canal bank, but do not allow them to ride on those cycles;
- (c) what action Government propose to take in the matter?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) No. The right of passage on the canal bank was not upheld by the Court.

(b) No. That portion of the canal bank is a tan riding track which is not allowed to be used by cyclists.

(c) Government does not propose to take any action in the matter.

## PROGRAMME OF WORK BEFORE THE PUNJAB CABINET.

**\*871. Sardar Hari Singh :** Will the Honourable Premier be pleased to state whether the Cabinet of Punjab Ministers has so far considered the question of formulating a well-defined and concrete programme of work for the next five years ; if so, with what result ; if not, reasons for the same ?

**Parliamentary Secretary (Mir Maqbool Mahmood) :** If the honourable member had cared to acquaint himself with the announcement made by the Premier on behalf of the Cabinet immediately on assumption of office and with the subsequent public statements made by him on behalf of the Cabinet or by his colleagues in regard to their respective departments he could have spared himself the trouble of putting this question. The honourable member would, however, appreciate that certain items are still under consideration.

**Sardar Hari Singh :** Will the honourable member please state if any concrete programme has been formulated by the Cabinet on the basis of that manifesto, a declaration of its Minister's policy and programme for the ensuing years on the lines of King's address in the House of Commons in order that the House may criticise it ?

**Parliamentary Secretary :** I have nothing to add to the answer I have already given.

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 RESENTMENT OF PUNJAB MUSLIMS OVER THE QUESTION OF PALESTINE.

**\*872. Sardar Hari Singh :** Will the Honourable Premier be pleased to state if he is aware of the resentment caused in the minds of Punjab Muslims over the British Palestine Commission's Report recently published recommending the partition of that territory into three parts ; if so, has the Punjab Government considered the question of conveying the reactions to the said report to the British Government through the Government of India ?

**Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) :** The Punjab Government and no doubt the Government of India are aware of the feelings publicly expressed by Muslims in this matter.

**Lala Deshbandhu Gupta :** What action do the Government propose to take in the matter ? Will they consider the advisability of giving an opportunity to the House to discuss that matter to be able to forward the opinion of this House to the Government of India or to His Majesty's Government ?

**Parliamentary Secretary :** That question is not to be discussed in the House.

**Sardar Hari Singh :** Did the Government of India make any enquiries from the Punjab Government as regards the reactions to this Report in this province ?

**Parliamentary Secretary :** I want notice for that question.

**Khawaja Ghulam Hussain :** Have any representations been made so far by the Punjab Government to the Government of India in this connection ?

**Parliamentary Secretary :** No doubt the Punjab Government have been keeping the Government of India informed from time to time about the feelings of the Muslims publicly expressed in this province on this subject.

**Sardar Hari Singh :** Why does the honourable member require notice ? Does he not remember it ?

**Parliamentary Secretary :** To enable me to make enquiries from the Government of India.

**Lala Deshbandhu Gupta :** Will the Government lay on the table of the house the report which they sent to the Government of India about this matter ?

**Parliamentary Secretary :** It is not in the public interest to lay it on the table of the House. I have already replied to Khawaja Sahib's question that the Punjab Government have been keeping the Government of India informed from time to time about the feelings of Muslims on the subject.

**Pandit Muni Lal Kalia :** Is that report confidential ?

(Voices from Treasury Benches : Certainly).

(At this stage four members on the Opposition benches stood up.)

**Mr. Speaker :** I cannot allow four gentlemen to stand at the same time.

(Voices : Hear, hear.)

**Sardar Hari Singh :** Does none of the colleagues of the Honourable Premier remember whether the Government of India made enquiries ?

**Khawaja Ghulam Hussain :** Is the honourable member prepared to release that report for the information of the public ?

**Parliamentary Secretary :** No.

**Lala Deshbandhu Gupta :** Most of the questions remain unanswered and the members of the Treasury Benches do not consider it proper to answer them.

**Mr. Speaker :** May I ask the honourable member to point out the law under which I can extort answers ?

**Lala Deshbandhu Gupta :** The very object of putting questions is defeated if they keep mum.

**Sardar Hari Singh :** A remark was made the other day in the Civil and Military Gazette which is an organ of the Unionist Party that.....

**Mr. Speaker :** The next question.

#### EXPENDITURE INCURRED IN CONNECTION WITH VICEREGAL DARRAR.

\*872. **Sardar Hari Singh :** Will the Honourable Finance Minister please state the total expenditure incurred by (a) the Punjab Government and (b) by the Lahore Municipality in connection with the Viceregal Durbar and the attendant functions recently held at Lahore ?

**The Honourable Mr. Manohar Lal :** I regret that complete figures are not yet available.

**Sardar Hari Singh :** Can the Hon'ble Finance Minister give a rough estimate?

**Minister :** No.

**Sardar Hari Singh :** Did the Lahore Municipality incur any expenditure in this connection?

**Minister :** I said that enquiries are being made and no figures are yet available to Government.

**Sardar Hari Singh :** Did the Lahore Municipality incur any expenditure?

**Minister :** That is a matter of figures—from zero to anything.

**Lala Bhim Sen Sachar :** Has the Honourable Minister for Finance any idea of the amount sanctioned for this expenditure?

**Minister :** Sanctioned by whom?

**Lala Bhim Sen Sachar :** Sanctioned by the Punjab Government.

**Minister :** The amount sanctioned, I believe is in the neighbourhood of Rs. 10,000.

**Lala Bhim Sen Sachar :** What is his opinion, is the amount likely to be exceeded?

**Minister :** No.

**Lala Bhim Sen Sachar :** Will it be in the neighbourhood of Rs. 9,000?

**Minister :** Is that a fair question when I have already said that exact figures are not available?

**Lala Bhim Sen Sachar :** I am asking for a rough idea.

**Minister :** This is merely an effort to reach exact figures in spite of my answer.

**Sardar Hari Singh :** How did the Government dare to spend a large amount of money in anticipation of the vote of the House?

**Lala Bhim Sen Sachar :** They dare do many things.

**Minister :** Is that a question arising out of this question? Government has the power to incur such expenditure in emergent circumstances.

**Sardar Hari Singh :** What if the Assembly disapproves of this expenditure?

**Minister :** The Assembly thinks otherwise.

#### VICEREGAL DARBAR.

\*874. **Sardar Hari Singh :** Will the Honourable Premier please state how and with whom the idea of holding the Viceregal Darbar at Lahore originated?

**Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daultana) :** The proposal to hold a Viceregal Darbar was made by the Punjab Government as soon as it learnt that His Excellency the Viceroy proposed to pay an official visit to the capital of the Province.

**Sardar Hari Singh :** In what month was this decision arrived at ?

**Dr. Gopi Chand Bhargava :** What was the object of holding the durbar ?

**Parliamentary Secretary :** The proposal to hold the durbar was made by the Punjab Government as soon as it learnt that His Excellency the Viceroy proposed to pay an official visit to the capital of the Punjab. It was suggested to His Excellency by the Punjab Government.

**Sardar Hari Singh :** Is it a fact that the Viceroy suggested that the durbar be held in Lahore ?

**Parliamentary Secretary :** I have already answered the question.

**Sardar Hari Singh :** No this has not been answered.

**Parliamentary Secretary :** I would again repeat the answer. It is to the effect that the proposal to hold the durbar was made by the Punjab Government as soon as it learnt that His Excellency the Viceroy proposed to pay an official visit to the capital.

**Sardar Hari Singh :** Admitting for a moment that the decision had to be taken by the Government, did the suggestion originally emanate from the Viceroy ?

**Lala Deshbandhu Gupta :** Was the Assembly in session when this decision was arrived at by the Government ?

**Parliamentary Secretary :** I can not say.

**Pandit Shri Ram Sharma :** (*Urdu*) : What was the special object of the Punjab Government in holding the Viceregal Durbar in Lahore.

**Mian Muhammad Iftikhar-ud-Din :** Is it a fact that this Durbar was arranged at Lahore in connection with the coming war danger ?

**Syed Amjad Ali Shah :** An honourable member of the House has asked a question. The Treasury benches are not given an opportunity to answer that question and another honourable member gets up and asks another question.

**Sardar Sampuran Singh :** Treasury benches do not mean to answer them.

**Lala Deshbandhu Gupta :** My question remains unanswered. I had asked whether the Assembly was in session at the time the Government arrived at that decision.

**Parliamentary Secretary :** I am not sure.

**Lala Deshbandhu Gupta :** May I take it that there was no difference of opinion in the Cabinet when this decision was arrived at by the Government ?

**Parliamentary Secretary :** I have no knowledge of that.

**Chaudhri Kartar Singh** (*Urdu*) : Is it a fact that the Honourable Premier assured the Governor General on behalf of the landed aristocracy of the Punjab that it would help the British Government in the ensuing War ?

**Sardar Sohan Singh Josh** (*Punjabi*) : On what date was the decision of holding a Viceregal Durbar in Lahore arrived at in the Punjab Cabinet ?

**Lala Duni Chand :** Is it true that the Punjab was selected for holding the Viceregal Durbar because the atmosphere of the Punjab was more congenial ?

(Voices from Treasury benches : No).

**Lala Bhim Sen Sachar :** Does the holding of a Viceregal Durbar form an essential item of the programme of the Viceroy's visit to a province ?

**Parliamentary Secretary :** Yes, it does when there is an official visit.

**Lala Bhim Sen Sachar :** May I seek your protection and ask for a reply to my question ? My question was to the effect whether the holding of a durbar of the nature we had in the Punjab form an essential item in the programme of a Viceroy when he visits a particular province.

**Parliamentary Secretary :** When the Viceroy visits the capital of a province officially, a durbar is always held.

**Mian Muhammad Iftikhar-ud-Din :** Why is it not held in Madras ?

**Sardar Hari Singh :** Why was no attempt made by the Government to ascertain whether the public of the province would like the idea of holding a durbar ?

(An honourable member : The public liked the idea immensely.)

**Sardar Sohan Singh Josh (Punjabi) :** Did any member of the Cabinet object to the proposal of holding a Viceregal Durbar in Lahore ?

**Mian Muhammad Iftikhar-ud-Din :** Why was not the durbar held in Madras ?

**Minister for Revenue :** I would ask the honourable member to go and put this question in the Madras Assembly.

**Lala Duni Chand :** Has the Unionist Government of the Punjab been strengthened by the Viceregal visit and by the Viceregal Durbar ? (Laughter).

**Lala Bhim Sen Sachar :** Is the honourable member aware that at the time of his visit to the Madras Presidency no durbar was held in honour of His Excellency the Viceroy ?

**Mr. Speaker :** The subject matter of this question is not within the cognizance of a Punjab Minister.

**Lala Bhim Sen Sachar :** I want to know if the Government is aware of that fact so that they may correct their view.

**Mr. Speaker :** I have ruled that this is not within the cognizance of the Minister to whom the question is put, as he does not receive such information officially from the Madras Government.

**Sardar Hari Singh :** May I know if the idea of holding the durbar was conceived when the Assembly was in session ?

**Parliamentary Secretary :** I have no knowledge of that.

**Minister for Revenue :** He says he has no knowledge of that.

**Sardar Sampuran Singh :** Are members of Government allowed to engage advocates? There are other members standing on their own behalf.

**Mr. Speaker :** I do not understand the point of order raised by the honourable member.

**Sardar Sampuran Singh :** The Chief Secretary made a reply. When he sat down the Honourable the Leader of the House made some remarks on his behalf. On that account I raised the point whether members of Government are allowed to engage advocates to reply on their behalf.

**Pandit Muni Lal Kalia :** Did the financial condition of the province justify such heavy expenditure for the durbar?

#### PARADING OF YOUNG SCHOOL BOYS IN CONNEXION WITH VICEREGAL DURBAR.

**\*875. Sardar Hari Singh :** Will the Honourable Minister for Education be pleased to state—

(a) whether he is aware of the strong public protests made against the parading of young school boys on roads by way of rehearsal in connexion with and actual lining of them on the roads on the occasion of the Viceregal Procession by public men press and parents of children;

(b) whether he has considered the question of tabooing such practices as entailing undue and unnecessary physical and mental strain on young scholars in future?

**The Honourable Mian Abdul Haye :** (a) Yes.

(b) Government does not approve of young children being detained on roads for purposes of rehearsal on such occasions. Necessary instructions in this connection are being issued.

**Lala Bhim Sen Sachar :** When was the fact brought to the notice of Government that children will line up on the roads?

**Minister :** We had no previous information. When complaints appeared in the local press, Government promptly drew the attention of the Administrator to the allegations.

**Sardar Hari Singh :** Has Government taken any action against those who are guilty of parading the young boys?

**Minister :** The complaint was regarding the students of the primary schools which are under the direct administration of the Municipality of Lahore.

**Sardar Hari Singh :** Was any explanation called for?

**Minister :** Does not arise.

**Lala Duni Chand :** Is it true that instructions were issued after the event was over?

**Minister :** The complaint was made after the event was over.

**Dr. Gopi Chand Bhargava :** May I know whether the students of private schools were un-officially invited by the Inspector to parade streets on the visit?

**Minister :** No, Sir.

**Pandit Muni Lal Kalia :** Were such instructions issued by the Honourable Minister for Education general in nature or were specific with regard to that event ?

**Minister :** General in nature. According to the existing instructions students of schools are permitted to participate in receptions on three occasions (i) when a visit is paid by His Excellency the Governor-General (ii) when a visit is paid by His Excellency the Governor and (iii) when a visit is paid by the Minister for Education. We have now amplified those instructions and so far as the Minister for Education is concerned during his recent visits in the province he has been discouraging these receptions.

**Sardar Hari Singh :** On a point of parliamentary enquiry. Is it not the parliamentary practice that the member who puts the original question has the prior right to put supplementary questions ?

**Mr. Speaker :** I do not know ; but it would be a good thing if we start such a practice.

**Pandit Muni Lal Kalia :** Is it a fact that the school going children of Ludhiana paraded at the time when the Honourable Minister for Education visited Ludhiana ?

**Minister :** I disapproved of it.

**Pandit Muni Lal Kalia :** Was that disapproval conveyed to the authorities in writing ?

**Minister :** I always make it clear whenever I go on tour that I do not like these receptions.

**Lala Bhim Sen Sachar :** Is it not a fact that the complaints referred to by the Honourable Minister as they appeared in the press were brought to his notice before the actual event ?

**Minister :** If by the actual event is meant visit of His Excellency the Governor-General the answer is in the affirmative.

**Lala Bhim Sen Sachar :** May I know why Honourable Minister did not issue prompt instructions for discontinuing the parading of boys along the streets ?

**Minister :** We moved in the matter. An inspector of schools was at once deputed to make a representation to the administration and this was the only suitable action the Government could take in a matter as the schools concerned were under the direct control of the administration.

**Munshi Hari Lal :** Is the Minister aware that during his last visit to the Jullundur district students of schools were required to bring articles from a distance of four or five miles in order to decorate the schools ?

**Minister :** I am not aware of that. If it had been brought to my notice I would have taken strong exception.

**Munshi Hari Lal :** Did this complaint appear in the press and was it brought to his notice ?

**Minister :** It was not brought to my notice.

**Dr. Gopi Chand Bhargava :** May I know whether Government is prepared to take any action against the Administrator of the Lahore.

municipality on account of his not having agreed to discontinue these rehearsals of parading the boys?

**Minister :** Government does not consider any further action necessary. If on a subsequent occasion this practice is repeated, some action may be called for.

#### ABATTOIR SCHEME AT LAHORE CANTONMENT.

**\*876. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

(a) the names of those Hindu and Sikh leaders whom the Government consulted and who countenanced the Abattoir Scheme at the Lahore Cantonment?

**Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) :** In the present circumstances it will serve no useful purpose to give the names.

**Sardar Hari Singh :** Will the honourable member please say if the leaders referred to are members of this august House?

**Parliamentary Secretary :** I have nothing to add.

**Sardar Hari Singh :** Do they belong to the Unionist party or the Opposition party?

**Lala Deshbandhu Gupta :** Will the honourable member please inform the House whether any harm would result by naming those persons who misled the Government in a matter like that?

**Parliamentary Secretary :** I have nothing to add to what I have said.

**Khan Muhammad Yusuf Khan :** Has the attention of the Government been invited to the statement made by Sardar Sir Joginder Singh in the *Civil and Military Gazette* on the 14th October, 1937, that Sir Gokul Chand and others appeared to have no exception to abattoir scheme; if so, is that statement correct?

**Parliamentary Secretary :** I have no knowledge of it but I have no reason to disbelieve that part of the statement.

**Lala Deshbandhu Gupta :** May I ask the Honourable Minister as to which Cabinet approved the abattoir scheme, whether it was the present Cabinet or the old one?

**Lala Deshbandhu Gupta :** My question remains unanswered. Will the Honourable Minister please inform the House as to which Cabinet approved the scheme?

**Pandit Shri Ram Sharma :** Is it a fact that the Minister for Development stated during one of his speeches that the previous Government and not the present Cabinet was responsible for the abattoir scheme?

**Parliamentary Secretary :** I would like to have a notice of that question.

## RELEASE OF MESSRS. SANYAL AND GUPTA.

**\*877. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) the grounds on which notices of externment from the Punjab were served on Messrs. Sanyal and Gupta, ex-Kakori case prisoners, recently released by the U. P. Government ;
- (b) the period after their release that they had been in the Punjab when the said notices were served on them ;
- (c) whether he is aware that these gentlemen were on their way to Dalhousie to see Mr. Subhas Chandra Bose at the time of the service of notices on them ;
- (d) whether he is aware that these gentlemen have publicly recanted faith in the creed of violence and underground methods of work ;
- (e) whether he received a letter from these gentlemen expressing their political creed and views and whether the Government has re-considered the externment order in the light of the contents of that letter ?

**Parliamentary Secretary Khan Bahadur Mian Ahmad Yar Khan Daulatana :** (a) The honourable member is referred to section 3 of the Punjab Criminal Law Amendment Act, 1935.

(b) Three days.

(c) It is believed that Sachindra Nath Sanyal was on his way to Dalhousie to see Mr. Subhas Chandra Bose. No information is available about Manmatha Nath Gupta's intention.

(d) No.

(e) No.

**Sardar Hari Singh :** From what source did the Government come to know that these people belonging to other provinces were dangerous people ?

**Parliamentary Secretary :** Both delivered speeches at the Kissan Bandobast Conference at Naushera Punwan in the Amritsar district on the 29th September, 1937.

**Sardar Hari Singh :** Were any instructions in regard to these gentlemen received from the Central Intelligence Office of the Government of India ?

**Parliamentary Secretary :** I have no such knowledge.

**Lala Duni Chand :** Is it the intention of the Punjab Government to give some breathing time to the released political prisoners before taking any action against them ?

**Mr. Speaker :** That question does not arise from the answer given.

**Chaudhri Kartar Singh (Urdu) :** Is the Punjab Government prepared to withdraw the restrictions placed on Mr. Sanyal and his friends ?

**Parliamentary Secretary :** Not yet.

**Lala Deshbandhu Gupta :** Are we to understand that the action taken against these gentlemen was due to the speeches made by them in certain meetings ?

**Parliamentary Secretary :** I have stated already in reply to a supplementary question that they delivered two speeches, from which source Government came to the conclusion that they were going to act in a dangerous way. I just gave an instance that they delivered speeches.

**Lala Deshbandhu Gupta :** Was it only on the basis of these speeches that this action was taken ?

**Parliamentary Secretary :** Of course that was a cause.

**Munshi Hari Lal :** Were those speeches violent ?

**Parliamentary Secretary :** I think so.

**Chaudhri Kartar Singh (Urdu) :** Did each of them deliver only one speech or a series of speeches ?

**Mr. Speaker :** The next question.

DR. HARDYAL.

**\*878. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) whether his attention has been drawn to the Press statement of Sir Tej Bahadur Sapru regarding the character, ability and political views of Dr. Hardyal, a Punjabee exile in Europe ;
- (b) if answer to part (a) be in the affirmative, whether he has considered the question of recommending his case to the Government of India ?

**Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) :** (a) Yes.

(b) No.

**Pandit Muni Lal Kalia :** Has any representation been made for the withdrawal of such orders against Lala Hardyal ?

**Parliamentary Secretary :** If the Punjab Government are addressed on the subject by the Government of India, they will give their opinion.

**Munshi Hari Lal :** Does the honourable member believe the statement of Sir Tej Bahadur Sapru to be true or otherwise ?

**Lala Deshbandhu Gupta :** Will the honourable member please inform the House whether the attention of the Punjab Government has been drawn to the statement made by a Government member in the Central Assembly on the subject in the last session ?

**Revenue Minister (The Honourable Dr. Sir Sundar Singh Majithia) :** Yes.

**Lala Deshbandhu Gupta :** Has the Government formed any opinion on that statement ?

**Minister :** When the opinion of the Punjab Government is asked by the Government of India, we will consider the question.

**Lala Deshbandhu Gupta :** Is the Honourable Minister aware that the Government of India have left it to the Government of the Punjab to take action in the matter ?

**Minister :** That is not the case.

**Lala Deshbandhu Gupta :** Has the attention of Government been drawn to the statement issued by Mr. C. F. Andrews recently in this connection ?

**Lala Deshbandhu Gupta :** Will Government please inform the House whether there is any prosecution pending against Lala Hardyal ?

**Minister :** We have no knowledge.

**Lala Bhim Sen Sachar :** May I just take your indulgence and inquire if the Honourable the Revenue Minister is answerable on behalf of the Premier ?

**Minister :** In the absence of the Premier on account of illness, I am dealing with these questions.

**Lala Deshbandhu Gupta :** May I know what exactly is the position in regard to Lala Hardyal ? Is there any ban on his entry into the province, or is there any prosecution pending against him ? What exactly is the position ?

**Minister :** I have stated that there is no prosecution pending in this case.

**Lala Deshbandhu Gupta :** Do I take it that the Punjab Government will not create any difficulty if the Government of India allows him to return ?

**Minister :** That is a question which will be considered when the time arises.

**Sardar Partab Singh :** Is there any ban against Lala Hardyal entering into the country ?

**Minister :** It must have existed, otherwise Lala Hardyal would have been here.

**Sardar Sohan Singh Josh (Urdu) :** Will the Punjab Government represent this matter to the Government of India that Lala Hardyal should be allowed to come back to the Punjab ?

**Minister :** When the Punjab Government is asked, we will do the needful in the matter.

**Sardar Sohan Singh Josh (Urdu) :** Is it a fact that Lala Hardyal has been living in England for the last fifteen or twenty years and has taken his Ph. D. at the Oxford University ?

**Minister :** May I ask if that question arises out of the answer given ?

**Lala Duni Chand :** May I know whether a ban does exist on Lala Hardyal ?

**Minister :** I do not know.

**Lala Duni Chand :** Is the Honourable Minister aware that Lala Hardyal has been living a peaceful, literary life in England for the last ten or fifteen years ?

**Mr. Speaker :** This question gives information rather than asks for it.

**Lala Bhim Sen Sachar :** In view of the strong public feeling in this connection, will the Government be prepared to recommend to the Government of India that the ban, if any, against Lala Hardyal should be removed.

**Mr. Speaker :** That is a request for action. Therefore, I disallow the question.

**Lala Duni Chand :** Is the Government prepared to give an assurance that if Lala Hardyal decides to return to India the Punjab Government will not take any action against him ?

**Sardar Sohan Singh Josh (Urdu) :** Will the Punjab Government recommend to the Government of India on its own initiative that Lala Hardyal should be allowed to proceed to the Punjab ?

RELEASE OF POLITICAL PRISONERS REPATRIATED FROM THE  
ANDAMANS.

**\*879. Sardar Hari Singh :** Will the Honourable Finance Minister be pleased to state whether he has considered the question of the release of political prisoners recently repatriated from the Andamans ?

**The Honourable Mr. Manohar Lal :** Government has not had any occasion to consider the question of release since their return to the Punjab in October. The honourable member is referred to the Debates on this question in the Punjab Legislative Assembly of June the 25th and July the 20th, 1937. During the course of these Debates the policy of Government was explained at length by the Honourable Premier. This policy remains unchanged.

**Sardar Hari Singh :** Is the Honourable Minister aware that these prisoners have since discarded their creed and faith of violence and have sent their word of honour to Mahatma Gandhi ?

**Minister :** I have seen statements in the press and otherwise professing that they do not believe in terrorism any longer. As regards its being a word of faith or not, I do not know.

**Sardar Hari Singh :** Is the Honourable Minister aware that these prisoners while in the Andamans suspended the hunger strike on the understanding that Mahatma Gandhi, the Indian Nation and the Indian Government would try to release them ?

**Minister :** It is an incorrect statement of facts. They did suspend hunger strike but that they did so under any such assurance, I do not admit.

**Sardar Hari Singh :** Is it a fact that these prisoners are now at the present moment on hunger strike ?

**Minister :** I do not know what the honourable member means by 'these prisoners'. Some of the prisoners that have been repatriated from the Andamans and come to the Punjab in October, 1937, are on hunger strike; others are not.

**Sardar Hari Singh :** What does the Honourable Minister propose to do in order to make them give up hunger strike ?

**Minister :** I think it is not for me to say that they will give up hunger strike under these circumstances. I remember reading a statement in the press this morning that these hunger strikers profess and assert that they are not prepared in this regard even to follow the advice of their leaders.

**Sardar Hari Singh :** Has not the Honourable Minister made enquiries into the reasons which led to their launching the hunger strike ?

**Minister :** I tried to get at the reasons why they have entered upon this hunger strike, but I have not discovered the exact reasons.

**Sardar Hari Singh :** Does the Honourable Minister propose to make further enquiries into the matter and discover the reasons ?

**Minister :** I am doing so every day.

**Munshi Hari Lal :** Will the Honourable Minister disclose the names of the prisoners on hunger strike and since when they are on hunger strike ?

**Minister :** Prisoners who are on hunger strike are :—

- |                        |                                   |
|------------------------|-----------------------------------|
| 1. Dhanwantri ..       | .. Delhi Conspiracy case.         |
| 2. Khushi Ram Mehta .. | .. Madras Bomb case.              |
| 3. Prem Prakash ..     | .. Ditto                          |
| 4. Hazara Singh ..     | .. Ditto.                         |
| 5. Jehangiri Lal ..    | .. Second Lahore Conspiracy case. |
| 6. Gulab Singh ..      | .. Ditto.                         |
| 7. Rup Chand ..        | .. Ditto.                         |

These are the seven persons, and Sher Jung who joined them yesterday, he belongs to the Ahmadgarh Conspiracy case. These are the prisoners repatriated, but not all of the repatriated prisoners are on hunger strike. Five of these are not on hunger strike.

**Dr. Gopi Chand Bhargava :** Who are the hunger strikers who are not in the Lahore Jail ?

**Minister :** There are two hunger strikers in the Multan Central Jail, Gurmukh Singh and another. There are three further hunger strikers in the Lahore Jail, known as Babar Akali prisoners, Udham Singh, Sundar Singh and Bachant Singh. There is no question of repatriation in their case. The total number thus is 13.

**Munshi Hari Lal :** From what dates are they on hunger strike ?

**Minister :** I have a fair amount of information with me on the point, and could furnish it, if necessary.

**Lala Duni Chand :** Has the Punjab Cabinet formulated any policy in regard to the question of release or non-release of these prisoners ?

**Mr. Speaker :** As a rule questions relating to policy cannot be allowed.

**Dr. Gopi Chand Bhargava :** May I know whether these hunger strikers have sent any letter to Mahatma Gandhi through the Government giving out their demands ?

**Minister :** I think the honourable member who asks me this question is at least as familiar with the facts as I am. I saw a very detailed letter this morning in the *Tribune* which these gentlemen are supposed to have issued. I believe some time ago they did address a letter to Mahatma Gandhi.

**Sardar Sohan Singh Josh :** Will the Honourable Minister please state the date on which Gurmukh Singh went on hunger strike ?

**Minister :** I have not the exact date about Gurmukh Singh, but I believe it is about five or six weeks ago that he started the hunger strike.

**Sardar Hari Singh :** In view of the high importance of this question, may I, through you, enquire from the Government if they would be prepared to allow a full dress debate on the floor of this House at the request of the Leader of the Opposition ?

**Lala Duni Chand :** Has the Punjab Cabinet considered the question of the release or non-release of these prisoners, and if so, to what decision have they come ?

**Minister :** I have already answered that question, if the honourable member was listening to my reply in the first instance. May I ask a counter question, what does he mean by 'these prisoners' ?

**Lala Duni Chand :** The prisoners referred to in this question.

**Minister :** I have answered already that some of them have gone on hunger strike and others have not.

**Lala Duni Chand :** The question refers to both, those who have gone on hunger strike and those who have not. I am talking about repatriated prisoners. I want to know if the Punjab Cabinet have considered the question of release or non-release, and if so, what is their decision ?

**Minister :** The answer is perfectly simple. 'These prisoners'—to use the term in the vague fashion—that went on hunger strike in the Central Jail, Lahore, announced that they would go on hunger strike about two days ago and it was only day before yesterday that they did go on hunger strike and one of them only yesterday.

#### COMRADE GURMUKH SINGH.

**\*880. Sardar Hari Singh :** Will the Honourable Finance Minister be pleased to state whether Comrade Gurmukh Singh, a prisoner recently repatriated from the Andaman, is treated as a "C" class prisoner ; if so, whether the Government has considered the question of giving him a better class in view of his personality and public position ?

**The Honourable Mr. Manohar Lal :** Yes. Gurmukh Singh escaped from jail in 1923 and remained an absconder till September, 1936, when he was re-arrested at Lahore. Government has not examined the question of his better classification because no application from the prisoner himself, as is required by the rules, has so far been received.

#### FOREST COMMISSION.

**\*881. Sardar Hari Singh :** Will the Honourable Revenue Minister be pleased to state the terms of reference of the Forest Commission appointed by the Punjab Government, and also its mode of inquiry, and whether the Commission has been instructed to enlist the co-operation of representatives of the public of the places they visit in the course of their inquiries ?

**The Honourable Dr. Sir Sunda Singh Majithia :** The attention of the honourable member is invited to Punjab Government Press

[Minister for Revenue.]

*Communiqué* No. 4058-E., dated the 4th October, 1937 and No. 4401-E., dated the 27th October, 1937.

*Press Communiqué*, No. 4058-E., dated the 4th October, 1937.

The Punjab Government have decided to appoint a Committee consisting of the following persons:—

Mr. C. C. Garbett, C.S.I., C.M.G., C.I.E., F.R.G.S., I.C.S., *Chairman*,

1. S. Ahmad Bakhsh Khan, M.L.A. (Campbellpur), Member,
2. Raja Fateh Khan, M.L.A. (Rawalpindi), Member,
3. Captain Dina Nath, M.L.A. (Kangra), Member,
4. S. Uttam Singh, M.L.A. (Rawalpindi), Member,

Mr. A. P. F. Hamilton, I.F.S., *Secretary*.

to consider:—

(1) what difficulties are experienced by those who live in and near forests as a result of the existing system of Forest Administration?

(2) how can these very people best be interested in the conservation of the forests?

(3) how can their co-operation with the Forest Department be encouraged and secured?

2. The intention is that the Chairman and Secretary should tour along with the local member in the area concerned, and that, when all the areas have been visited, all the members of the Committee should meet and draw up a report at a joint meeting of the Committee.

3. The Chairman and Mr. Hamilton will leave Simla on October the 4th, for Campbellpur via Lahore and spend the rest of the month in the Campbellpur and Rawalpindi forest areas. They will then proceed to Kangra about November the 3rd. Further dates of their tour programme will be notified later.

*Press Communiqué* No. 4401-E., dated the 27th October, 1937:

In continuation of Punjab Government *Press Communiqué* No. 4058-E., dated the 4th October, 1937, it is notified for general information that the further programme of the Punjab Forest Committee will be as follows:—

Date.	From	To
1	2	
<i>November.</i>		
3rd	Lahore .. ..	Palampur.
4th	Palampur .. ..	Mandi.
5th	Halt Mandi. .. ..	
6th	Mandi .. ..	Manali.
7th	{ Halt Manali. .. ..	
8th		
9th	Manali .. ..	Katraia.
10th	Halt Katraia. .. ..	
11th	Katraia .. ..	Sultanpur
12th	{ Halt Sultanpur. .. ..	
13th		
14th	Sultanpur .. ..	Bhuia.
15th	Halt Bhuia. .. ..	
16th	Bhuia .. ..	Banjar.
17th	Halt Banjar. .. ..	
18th	Banjar .. ..	Mandi.
19th	Mandi .. ..	Palampur.
20th	Halt Palampur. .. ..	
21st	Palampur .. ..	Kangra.
22nd	Halt Kangra. .. ..	
23rd	Kangra .. ..	Dharamsala.
24th	Halt Dharamsala. .. ..	
25th	Dharamsala .. ..	Nurpur.
26th	Nurpur .. ..	Lahore.

## REMISSION OF LAND REVENUE IN FEROZEPUR DISTRICT.

**\*882. Sardar Tara Singh :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that there having been no rains in district Ferozepore, especially in tahsil Muktsar and thana Bagha Purana during the last rainy season, the crops this year have failed in the said district ; if so, the steps that Government have taken for the remission *in toto* of land revenue in the villages where there has been little or no rainfall ?

**The Honourable Dr. Sir Sundar Singh Majithia :** Barani crops have failed to some extent in the Ferozepore district owing to scarcity of rainfall. The percentage of kharaba of barani area on the total area sown is however only 16 per cent. in Muktsar and 9 per cent. in the Moga tahsil, and as the yield of chahi and nahri crops except cotton is above normal, the question of remission of land revenue does not arise.

## FAILURE OF COTTON CROPS IN DISTRICT FEROZEPUR.

**\*883. Sardar Tara Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether he is aware that cotton crops in district Ferozepore, especially in thana Nathana, Bagha Purana and Muktsar, have failed to the half of the average ;
- (b) whether the Government is considering the question of the remission of the abiana according to the average growth of the cotton crops in this area ; if not, why not ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes. Cotton is below normal in a few villages.

- (b) The question of remission in these villages is under investigation.

## COMPENSATION TO PUNJABEE VICTIMS OF THE BIHTA TRAIN DISASTER.

**\*884. Sardar Hari Singh :** Will the Honourable Premier be pleased to give the information he has been able to collect so far as to the number of the Punjabees killed and wounded and also the details of other losses suffered by the Punjabees as a result of the deplorable Bihta train disaster last summer, and state the steps taken by this Government to secure compensation to the victims of the tragedy or their dependents ?

**The Honourable Major Sir Sikander Hyat-Khan :** So far as is known the number of persons belonging to the Punjab who were killed or injured in the Bihta accident was eight and thirty-eight respectively, but about fifty of the killed are still unidentified. Details of property lost cannot be ascertained, but all articles such as bedding, luggage and other personal belongings recovered at the site of the accident are in the custody of the Deputy Magistrate in charge of Bihta Properties at Patna, to whom applications may be addressed. As regards compensation, the matter of the Railway's liability cannot be decided until completion of the judicial inquiry which is now in progress at Allahabad. In the meantime the Chief Commercial Manager of the East Indian Railway has commenced

[Premier.]

inquiries in order to ascertain the names of the immediate relatives of the deceased and other relevant particulars regarding the killed and injured and has asked for the assistance of District Magistrates in this Province in obtaining the required information. Claimants are advised therefore to address the Chief Commercial Manager, either direct or through the District Magistrates of their districts.

A resolution on the subject was adopted in the Assembly in July last, but I should like to say again how deeply my colleagues and I sympathise with the sufferers in this terrible disaster. The District Magistrates are being instructed to give all possible assistance to *bona fide* claimants, and the good offices of the Government will also be invoked for them whenever necessary.

**\*885-88.**—*Cancelled.*

#### PAYMENT OF LAND REVENUE BY SARDAR HARJAB SINGH, M.L.A.

**\*889. Sardar Hari Singh :** With reference to my starred question No. \*544<sup>1</sup> put on the 19th July, 1937, and the reply thereto, will the Honourable Minister for Revenue be pleased to state —

- (a) the amount of money sent by Sardar Harjab Singh, M.L.A., Mahilpur, district Hoshiarpur, to the lambardar on account of the last land revenue instalment due from him through money order which the lambardar concerned refused to receive ;
- (b) the amount of money paid by the said lambardar into the Government Treasury as land revenue instalment due from Sardar Harjab Singh, M.L.A. ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Rupees 11. (b) Rupees 10. But the total amount due to the lambardar from Sardar Harjab Singh and his brother Ganga Singh including pachotra, chaukidara and malba dues was Rs. 11-6-9.

**\*890—94.** *Cancelled.*

#### COPYING FEES.

**\*895. Dr. Sant Ram Seth :** Will the Honourable Minister for Revenue be pleased to lay on the table a statement—

- (a) showing the rates for obtaining copies of judicial cases in High Court, Lahore, and in other District Courts in the Punjab ; and state
- (b) whether it is a fact that the copying fees in the District Courts are higher than those in the High Court, Lahore ; if so, reasons for the difference ;
- (c) whether the Government proposes to take some steps to make the rates of copying fees in the District Courts uniform with those of the High Court ; if not, reasons for the same ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) The consolidated copying fees charged in the High Court and the District Courts copying agencies are as follows :—

	High Court.	District Courts.
1	2	3
	Rs. A. P.	Rs. A. P.
<i>English Copies.</i>		
First 200 words or under .. ..	0 6 0	0 12 0
Every additional 100 words or under ..	0 3 0	0 6 0
<i>Vernacular copies.</i>		
First 200 words or under .. ..	0 3 0	0 6 0
Every additional 100 words or under ..	0 1 6	0 3 0

(b) Yes. The rates for copies prepared in the High Court were halved as a result of the reorganization of its copying agency in 1930.

(c) Steps are already being taken to scale down the cost of copies prepared in the district copying agencies. In this connection a reference is invited to the statement embodied in the reply given at the last session of the Assembly to the short notice question by Sardar Sahib Sardar Gurbachan Singh, M.L.A.—copy enclosed. The reduced flat rates have been tried with success in the Ferozepore, Lahore and Amritsar districts. They have now been extended to the whole of the Jullundur and Lahore divisions with effect from the 1st October, 1937, with the exception of the Gurdaspur district, where they have been introduced with effect from the 1st December, 1937, and it is hoped to extend them as soon as possible, with such modification as further experience may show to be necessary, to the remaining districts of the province.

Reference is invited in particular to item 9 of the schedule of reduced rates which shows that where there is a stenographer, the rate charged for a copy of any length is Re. 0-4-0 only. In other cases, however, the charge is Re. 0-8-0 up to 10 pages, and under note (2) at the bottom of the schedule of reduced rates, Re. 0-4-0 per page exceeding 10 pages, while a page must contain 350 words. This means Re. 0-8-0 per page for 3,500 words, and if the copy exceeds 10 pages, Re. 0-4-0 per page of 350 words. The High Court rate is Re. 0-6-0 for the first 200 and Re. 0-3-0 for every subsequent 100 words ; so according to these rates the copy would cost Rs. 6-9-0 against Re. 0-8-0 only under the District Courts (Revised) Schedule.

Again, under item 8 the charge is Re. 1 up to 3,500 words, and under note (2) Re. 0-8-0 for every subsequent 350 words. In this case also the copy according to the High Court rates would cost Rs. 6-9-0, against Re. 1 only under the District Court (Revised) Schedule.

Further, under items 21 and 22 the charge is Rs. 2, while under item 25 it is Rs. 4 up to 5,250 words, and under note (3) Re. 0-8-0 for every 350 words in these and all other cases not specially provided for. This shows that

[Minister for Revenue.]

according to the High Court rates the copy in these cases would cost Rs. 9-15-0 against Rs. 2 and Rs. 4 only under the District Court (Revised) Schedule.

It will be seen, therefore, that the High Court rates and the revised rates for the district copying agencies are based on different principles and an exact comparison between them is not possible. But on an average the revised rates for the district copying agencies work out at less or at any rate not more than the High Court rates. It is understood that the High Court are reorganizing their copying agencies on the lines of district copying agencies.

\*896. *Cancelled.*

#### ROAD INSPECTORS, ETC.

\*897. **Chaudhri Sumer Singh** : Will the Honourable Minister for Public Works be pleased to state—

- (a) whether any road inspectors were appointed in the Gurgaon circle during the current year ;
- (b) if the answer to (a) above be in the affirmative, their names, parentage, places of residence and qualifications ;
- (c) the number of statutory agriculturists amongst them ;
- (d) whether any rules debarring the appointment of persons not qualified from Rasul as road inspectors or temporary overseers, exist ; if so, will he be pleased to lay those rules on the table ;
- (e) whether it is a fact that the Punjab Government (Ministry of Education and Industries) issued letter No. 104-E.-17/320-E. on 20th February, 1924, promising to consider the claims of suitable candidates qualified from Hewett's Engineering School, Lucknow, for such appointments ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana** : (a) Yes.

(b) The particulars of the Road Inspectors are given below :—

Serial No.	Name.	Parentage.	Place of residence.	Qualifications.
1	Bhai Chanan Singh, appointed on 17th September, 1937.	Bhai Lahna Singh	Village Silon Kalan, Post Office Dehlon, District Ludhiana.	Matriculation and "B" Grade Overseer from Rasul.
2	Lala Ram Bakhsh Ahluwalia, appointed on 27th August 1937, afternoon.	Lala Sant Ram, Ahluwalia.	Village and Post Office Bhangala, District Hoshiarpur.	Studied upto Matric., Sub-Overseer from F. W. Otto School of Engineering, Ludhiana, served as a Surveyor and Leveller in Sukkur Barrage and Punjab Irrigation for 8 years.

(c) B. Chanan Singh is an agriculturist while Lala Ram Bakbsh is non-agriculturist.

(d) The reply is in the negative, but in the interests of efficiency Rasul trained overseers are given preference over unqualified candidates.

(e) The reply is in the negative. A letter bearing the same No. was issued in 1924 but no promise was given as suggested in the question.

#### ROAD INSPECTORS.

**\*898. Chaudhri Sumer Singh :** Will the Honourable Minister for Public Works be pleased to lay on the table a statement showing the agriculturist and non-agriculturist road inspectors in the employment of the Public Works Department, separately with the names of the institutions from which they have qualified ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** I regret the answer to the question is not yet ready.

**\*899. Cancelled.**

#### PETITION FROM THE ZAMINDARS OF VILLAGE AMIN SHAH.

**\*900. Dr. Sant Ram Seth :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether a major part of a passage owned by the land owners of village Aminshah, tahsil Kasur, district Lahore, was acquired by the Government in 1930, to extend the limits of canal road running along the aforesaid passage ;
- (b) if the answer to (a) above be in the affirmative the price of the passage fixed by the Government for payment to its owners and the width of the passage left after acquirement of some portion of it by the Government ;
- (c) whether it is a fact that no payment was made to the land-owners of the aforesaid passage by the end of September, 1937 ; if so ;
- (d) the grounds for withholding the payment ;
- (e) whether it is a fact that the zamindars of the aforesaid village submitted a petition to the Honourable Revenue Minister and the Executive Engineer, Raiwind division, in July, 1937, wherein they complained that the passage as left after acquirement was too narrow to allow them to take their cattle by it to the fields conveniently ;
- (f) whether it is also a fact that in the petition mentioned in (e) above, they also requested that a bridge be built across the canal distributary for taking the cattle to the fields lying on the other side of it ;
- (g) if the answers to (e) and (f) above be in the affirmative the steps the Government proposes to take to remove the grievances of the aforesaid villagers ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) The price fixed by Government for the land in question which measured 8 kanals and 6 marlas was Rs. 97-12-0. The width of passage left after acquisition of this land is 2.5 feet.

(c) and (d) Yes. The land in question was the joint property of the village and as the villagers could not present themselves collectively before the Land Acquisition Collector, no payment could be made.

(e) and (f) Yes.

(g) The matter is still under investigation.

**\*901. Cancelled.**

#### SLAUGHTERING PREGNANT SHEEP.

**\*902. Chaudhri Ahmad Yar Khan :** Will the Honourable Minister for Development be pleased to state whether his attention has been drawn to the fact that some of the dealers in the sheep and lamb skins in the province slaughter the pregnant sheep in order to obtain lambs prematurely for the sake of their soft skins which is very much in demand in the western countries; if so, what steps the Government proposes to take to make an inquiry into the matter with a view to stopping this cruel practice?

**The Honourable Chaudhri Sir Chhotu Ram :** Yes. The attention of the honourable member is invited to the replies given to part (g) of question No. \*4257<sup>1</sup> on the 12th March, 1935, and to part (v) of question No. \*6007<sup>2</sup> on the 30th October, 1936.

Local bodies have power to make rules prohibiting the slaughter of young animals in slaughter houses under their control. Some have already exercised this power, and the attention of others will be drawn to its existence.

#### SHAHPUR BRANCH CANAL.

**\*903. Chaudhri Ahmad Yar Khan :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that the Government has given up the idea of running the Shahpur branch canal; if so, whether the Government intends to restore the land acquired for the same purpose?

**The Honourable Dr. Sir Sundar Singh Majithia :** The attention of the honourable member is drawn to question No. \*193.<sup>3</sup> Since replying to this question Government has received a number of petitions from irrigators from Government-owned inundation canals in this area, complaining of unsatisfactory supplies and the possibility of improvement of irrigation is being examined. The question of selling the land under the Branch, should offers for the same be received at reasonable rates, will be considered after the receipt of the report on the grievances alleged in the petitions has been received and considered.

<sup>1</sup>Vol. XXVI, of Punjab Council Debates pages 528-29.

<sup>2</sup>Vol. XXIX, of Punjab Council Debates page 277.

<sup>3</sup>Vol. I, pages 744-46.

IRRIGATED AREA IN DERA GHAZI KHAN.

**\*904. Munshi Hari Lal :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the total area commanded by the inundation canals in the Dera Ghazi Khan district ;
- (b) the total area actually irrigated by the inundation canals during each of the last five years in the Dera Ghazi Khan district ;
- (c) the total area irrigated by the hill torrents during each of the last five years in the Dera Ghazi Khan district ?

**The Honourable Dr. Sir Sundar Singh Majithia :** The required information is given below.

Particulars.	Total area com-manded.	AREA IRRIGATED.				
		1931-32.	1932-33.	1933-34.	1934-35.	1935-36.
1	2	3	4	5	6	7
	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
Inundation Canals ..	696,823	263,463	230,675	251,990	208,554	244,258
Hill Torrents ..	..	203,906	278,383	333,809	239,061	123,624

PERENNIAL CANAL IN DERA GHAZI KHAN.

**\*905. Munshi Hari Lal :** Will the Honourable Minister for Revenue be pleased to state whether there is any perennial canal in the Dera Ghazi Khan district constructed by the British Government for irrigation purposes ; if so, its name and locality ?

**The Honourable Dr. Sir Sundar Singh Majithia :** Reply is in the negative.

INUNDATION CANALS IN DERA GHAZI KHAN.

**\*906. Munshi Hari Lal :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the inundation canals irrigating the lands in the Dera Ghazi Khan district are old and have been in existence in the district before the British Raj ;
- (b) whether any new inundation canals have been constructed in Dera Ghazi Khan by the British Government ; if so, their names with the dates of their construction ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) No.

**\*907—\*908. Cancelled.**

## LOWER MANKA CANAL.

**\*909. Munshi Hari Lal :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the zamindars of the lower Manka Canal have been complaining as to the decrease in the average irrigation since the diversion of the Upper Manka Canal has been effected ;
- (b) whether it is a fact that the zamindars waited in deputation on the Superintending Engineer at Mana in 1928 and presented him a memorial praying for the recontinuance of the old and abandoned Upper Manka Canal ; if so, a copy of the memorial be placed on the table ;
- (c) if the answer to (b) above be in the affirmative, the action taken on the memorial ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes, they complained to this effect in 1927.

(b) and (c) Yes, they submitted a memorial in 1928. The points raised therein were duly considered by the then Superintending Engineer and the proposal to re-open the Khandar Manka was dropped. The proper distribution of supplies on the Upper and Lower Manka has been effected.

No useful purpose will be served in placing a copy of the memorial, which is in Urdu, on the table of the House.

**\*910.—Cancelled.**

## A BALUCH DEPUTATION.

**\*911 Munshi Hari Lal :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that a deputation of Baloches headed by Sardar Ata Muhammad Khan waited upon Mr. Creagh Coen, Deputy Commissioner, Dera Ghazi Khan, in March 1931, and presented a memorial complaining against the prevalence of certain barbarous evils among the Baloches with regard to the disposal of women as chattels and recognition of the same by the authorities also and praying that steps be taken for their removal ; if so, the action taken on the same ?
- (b) if the answer to (a) above be in the affirmative, will the Honourable Premier be further pleased to lay the memorial on the table ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) No record of any memorial presented by Sardar Ata Muhammad Khan to Mr. Creagh Coen in 1931 exists.

(b) Does not arise.

## RETRENCHED EMPLOYEES OF THE IRRIGATION DEPARTMENT.

**\*912. Munshi Hari Lal :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the number of persons retrenched in the Ministerial Establishment, Irrigation Department, Punjab, from 1930 to 1936 ;
- (b) the number of those who have since been reappointed ;
- (c) whether any new hands were taken in service in preference to those retrenched ; if so, how many ?

**The Honourable Dr. Sir Sundar Singh Majithia :** The information is not available and its collection would involve an expenditure of time and labour out of all proportion to the value of the information when collected. As many suitable retrenched men as are available are being employed.

## GOVERNMENT ORDERS RE TEMPORARY ESTABLISHMENT, IRRIGATION DEPARTMENT.

**\*913. Munshi Hari Lal :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the orders of the Government were that nobody on the temporary establishment of the Irrigation Department, Punjab, should be made permanent so long as the retrenchment in its establishment was proceeding ;
- (b) if the answer to (a) above be in the affirmative, the number of cases in which departure from those orders was made ;
- (c) whether the break in the service of those who were retrenched and reappointed will be condoned and their previous service will count towards pension ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) No.

(b) Does not arise.

(c) Each case will be considered on its merits on receipt of an application from the individual concerned for the condonation of break.

## REAPPOINTED RETRENCHED EMPLOYEES.

**\*914. Munshi Hari Lal :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether any new rules governing the persons who were confirmed from 1st April, 1937, in the Ministerial Establishment of the Irrigation Department, Punjab, have been introduced ;
- (b) if the answer to (a) above be in the affirmative, whether the re-trenched employees who were re-employed will be governed by the new rules in the matter of leave, pay and pensions ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) No.

(b) Does not arise.

## A NEW CANAL DIVISION IN SHAHPUR.

**\*915. Chaudhri Ahmad Yar Khan :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that a new canal division was created with headquarters at Rasul, by joining together a part of the Shahpur Canal Division and a part of the Sargodha Canal Division ;
- (b) whether this new canal division was created in public interest or for administrative convenience ; and whether it actually serves any of these purposes ;
- (c) if the answer to the last portion of (b) above be in the negative, whether the Government is prepared to abolish this new canal division and revert to the two divisions which existed previously ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) The then existing Rasul Division, Lower Jhelum Canal (with headquarters at Rasul) was reorganised; it gave up work on the drains of the canal and took over an irrigation sub-division, comprising some of the irrigation channels of the then existing Shahpur and Sargodha divisions, enabling the former to be closed down.

(b) The reorganisation of the Rasul division was occasioned by the formation of the Drainage Circle which then became responsible for all drain work of the Canal and enabled the Rasul division charge to include an irrigation sub-division. The change was thus arranged and considered to be in the public interest, and was equally convenient administratively.

(c) The present organisation has been sanctioned for 2 years as from 1st April, 1937, and before this period expires, the situation will be re-examined.

## PUNITIVE POLICE POST.

**\*916. Sardar Harjab Singh :** Will the Honourable Premier be pleased to state—

- (a) the number of punitive police posts quartered in the villages of Hoshiarpur district, since 1919 up to date, together with the names of villages where the said police posts were quartered and the amount of the cost realised from each such village ;
- (b) whether the Government is prepared to consider the question of refunding the cost thus realised to the zamindars of those villages ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) Information for the period from the 18th January, 1922, to the 15th March, 1931, has been supplied in reply to question 203<sup>1</sup>. A supplementary statement for the period subsequent to the 15th March, 1931, is placed on the table. No additional police posts were located in the Hoshiarpur district during the period between 1919 and January, 1922.

(b) No.

*Supplementary statement relating to Additional Police Posts in the  
Hoshiarpur district.*

Serial No.	Names of villages where additional police posts were located.	PERIOD.		Amount recovered.
		From	To	
1	2	3	4	5
				Rs. A. P.
1	Burki Khas .. ..	1st April, 1933.	31st March, 1934.	3,878 11 5
2	Kaluwal Kotla .. ..	3rd March, 1936.	7th March, 1936.	489 6 0

**BEGAR FROM VILLAGERS.**

**\*917. Sardar Harjab Singh :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether he is aware of the fact that in connexion with the visit of the Financial Commissioner to Bharwain in District Hoshiarpur on 16th to 18th October last, "*Begar*" was exacted from Rania, son of Bhupu, Rabhal, son of Ram Ditta, Dulo, son of Panju, Jita, son of Rehi, Dallu, son of Santu, Gangu, son of Kanju and Kardun, son of Bhupa, of village Dharmisal Mahantan, Tahsil Una ;

(b) if so, the steps Government intends to take to put a stop to this practice ?

**The Honourable Dr. Sir Sundar Singh Majithia:** (a) Enquiries made show that no *begar* was taken from the persons in question.

(b) Does not arise.

**OPENING A GOVERNMENT HIGH SCHOOL IN TAHSIL UNA.**

**\*918. Sardar Harjab Singh :** Will the Honourable Minister for Education be pleased to state—

(a) the number of High Schools in Tahsil Una, District Hoshiarpur ;

(b) whether the Government has ever considered the question of opening a Government High School in Tahsil Una ?

**The Honourable Mian Abdul Haye :** (a) Four.

(b) Yes in 1928, but the question was dropped on financial and other grounds.

## DAMAGE TO CROPS IN AMRITSAR DISTRICT.

**\*919. Shrimati Raghbir Kaur :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether the Government is aware of the fact that great damage has been done to Maize, Cotton, Paddy and Toria crops in different parts of Amritsar district by the wind and hail-storm that visited this part of the Province on the 9th of October; if so, the steps the Government has taken to appraise the damage so caused;
- (b) if the answer to (a) above be in the affirmative, the steps the Government proposes to take to afford relief to the peasants of Amritsar district?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes, some damage was done by the hailstorm to rice, maize, bajra, til, sugarcane and cotton crops and fodder on the 9th October, 1937. The total area damaged was 415 acres in 13 villages.

(b) A special remission of land revenue amounting to Rs. 582 is being sanctioned.

## A BOAT DISASTER.

**\*920. Sardar Hari Singh :** Will the Minister for Public Works be pleased to state—

- (a) whether it is a fact that on 15th September last, a serious boat disaster took place near Mamdot crossing in the vicinity of the confluence of the Bias and Sutlej rivers resulting in a loss of about 50 lives;
- (b) whether an inquiry was held into the cause and details of the disaster; if so, the result of the inquiry;
- (c) the steps the Government proposes to take to prevent the possibility of similar accidents in future?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) Yes; about 40 lives were lost.

(b) Yes; the Mamdot ferry is in charge of the District Board of Ferozepore and the boat involved in the disaster belonged to a lessee whose lease has since been cancelled by the Board. The Police is investigating the matter.

(c) Orders have been issued to district boards to take suitable measures in order to avoid such disasters in future.

## COMPLAINT AGAINST A POLICE MAN.

**\*921. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) whether his attention has been drawn to the allegations made in newspaper reports against a policeman, in plain clothes

puncturing cycles of visitors to the General Post Office and using offensive language towards their owners, on 9th September last ;

- (b) whether an inquiry has been held into the matter ; if so, with what result ?

**The Honourable Major Sir Sikandar Hyat-Khan :** I regret that the reply to this question is not yet ready.

#### RAKH ROADS.

**\*922. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the amount of the annual grant sanctioned by the Government for the maintenance of roads in the Rakh in the district of Ludhiana and the savings made by the District Board, Ludhiana, during the last seven years out of that grant ;
- (b) whether it is a fact that no part of the money so sanctioned by the Government has been spent on the maintenance of these Rakh roads ; if so, the manner in which that money has been spent and whether it is permissible under the condition of the grant to spend that money on other roads and other works of public utility within the jurisdiction of the said District Board ;
- (c) in case the conditions of the grants have been contravened, the action that the Government proposes to take against those responsible for permitting the contravention of the conditions of the grant ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) and (b) The attention of the honourable member is invited to the reply given to starred question No. 441<sup>1</sup>, asked on the 15th July, 1937. It appears that the actual amount of grant calculated for the Rakh roads, which are under the District Board, Ludhiana, is Rs. 773 . This forms part of the consolidated grant to the District Board. The average expenditure on these roads for some years past has been Rs. 300 per annum. The rest of the consolidated grant of the District Board has been spent on the other purposes of the Board. This is permissible under the conditions of the grant.

- (c) Does not arise.

#### APPRECIATION OF THE SERVICES OF LALA NAUBAT RAI SAHNI BY THE DISTRICT BOARD, LUDHIANA.

**\*923. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that a resolution was passed by the District Board, Ludhiana, in August last appreciating the services of

<sup>1</sup>Vol. I, pages 1451-52.

[Ch. Muhammad Hasan.]

Lala Naubat Rai, Sahni, late Superintendent of Police, Ludhiana, which he rendered to the people of the town and the occasion for passing this resolution ;

(b) the names of the proposer and the seconder of the resolution ;

(c) whether a similar resolution has ever been passed by any of the local bodies in this province appreciating the services of any police officer either on the occasion of his return or transfer from a locality ; if so, the name or names of such local bodies as also the name or names of the public servants whose services were thus appreciated ;

(d) whether it is a fact that a similar resolution appreciating the services of Lala Naubat Rai was also recently passed in a meeting of the Ludhiana Municipal Committee ; if so, the names of the proposer and seconder ;

(e) whether the Honourable Minister intends suspending such resolutions ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) Yes, on the occasion of his transfer from the district.

(b) Proposer .. Sardar Sahib Tahl Singh,

Seconders .. 1. M. Mohammad Ramzan,  
2. Captain J. S. Gill,  
3. Sardar Jogindar Singh,  
4. Sardar Harbhagat Singh,  
5. Sardar Sahib Harnam Singh,  
6. Chuadhri Sardar Ali, and  
7. Sardar Harnam Singh.

(c) In view of the labour involved in collecting this information, it would not be in the public interest to give a reply.

(d) Yes.

Proposer .. Mian Roshan Din,

Seconders .. 1. Mr. Sarb Krishen,  
2. Chaudhri Tikka Kishen Singh,  
3. Seth Sant Das.

(e) No.

## SOURCES OF INCOME, ETC., OF JAGRAON MUNICIPALITY.

**\*924. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Public Works be pleased to state the annual income from various sources of the Municipal Committee of Jagraon and also its expenditure ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** The figures of income and expenditure are given in the Annual reports on the working of Municipalities in the Punjab, copies of which are available in the Assembly Library.

## VETERINARY HOSPITALS OPENED BY DISTRICT BOARD, LUDHIANA.

**\*925. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the number of veterinary hospitals opened by the District Board, Ludhiana, during the last ten years, the places where these have been opened and the total amount of expenditure incurred so far by the said District Board on each of these hospitals ;
- (b) whether it is a fact that the number of these hospitals has been found to be too small to meet the requirements of the zamindars of the district and particularly of that of the Beit ilaqa ;
- (c) the number of persons employed in each of these veterinary hospitals and also the average number of indoor and outdoor patients attending each of these hospitals every year ;
- (d) whether these hospitals are located in buildings owned by the said District Board or in private buildings rented by it ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) Six, including three outlying dispensaries, as under—

*Hospitals.*

1. Gujjarwal.
2. Pakhoke.
3. Bhaini Sahib.

*Dispensaries.*

1. Isru.
2. Machhiwara.
3. Sidhwan Bet.

Information regarding expenditure on each of these hospitals and dispensaries is not available, as the Board does not maintain separate accounts for each one of them.

(b) Yes.

(c) A statement giving the required information is laid on the table.

(d) In private buildings—two of which are rented, and the others free of rent.

[Minister for Public Works.]

*Statement showing the information regarding part (c) of the question.*

(1) Number of persons employed in the hospitals and dispensaries referred to in part (a) :—

- (i) in each hospital .. .. . Four persons.  
 (ii) in each dispensary .. .. . One person.

(2) Average number of in-door and out-door patients treated at these hospitals and dispensaries every year :—

Name of hospital.	Number of in-door patients.	Number of out-door patients.	Number of cases supplied with medicines, but not brought to the hospital.
1	2	3	4
(i) Gujjarwal .. ..	40	4,109	303
(ii) Pakhoke .. ..	..	1,046	..
(iii) Bhaini Sabib .. ..	12	2,171	185

Name of dispensary.	Number of in-door patients.	Number of out-door patients.	Number of cases supplied with medicine, but not brought to the dispensary.
1	2	3	4
(i) Sidhwan Bet .. ..	<i>Nil.</i>	6,670	<i>Nil.</i>
(ii) Machhiwara .. ..	<i>Nil.</i>	1,497	<i>Nil.</i>
(iii) Isru .. ..	<i>Nil.</i>	1,742	<i>Nil.</i>

## ANNUAL INCOME OF DISTRICT BOARD, LUDHIANA.

**\*926. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Public Works be pleased to state the total annual income and also the total annual expenditure of the District Board, Ludhiana ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :**

	Rs.
Total Income for 1936-37 .. ..	6,62,752
Total Expenditure for 1936-37 .. ..	6,76,052

**APPOINTMENTS MADE BY THE PRESENT CHAIRMAN, DISTRICT BOARD,  
LUDHIANA.**

**\*927. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the number of persons employed by the present official Chairman of the District Board, Ludhiana, in the service of the said Board with the names, educational qualifications and home districts of the persons so employed ;
- (b) the number of persons in the service of the said District Board who belong to Beit ilaqa and the number of those persons among them who have been employed by the present Chairman of the District Board ;
- (c) the qualifications of those who were selected and of those whose applications for these posts were rejected ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) Five. A list showing their names, qualifications and home district is laid on the table.

(b) There are 94 persons belonging to the Beit Ilaga who are at present in the service of the District Board, Ludhiana. Out of the five persons appointed by the present official Chairman of the District Board, one belongs to the Beit Ilaga.

(c) No. One on the list was selected from among persons having the qualifications of B.A., F.A and Matriculation. He was selected because he belongs to the depressed classes.

The rest are teachers. A list of persons trained and qualified for these posts is kept and the appointments are made from this list in order of seniority—

*List referred to in part (a).*

Serial No.	Name.	Qualifications.	Home District.
1	2	3	4
1	Bhai Man Mohan Singh, Profession Tax Sub-Inspector.	Matriculate ..	Ludhiana.
2	M. Sohne Khan, Teacher ..	J. V. Middle ..	Do.
3	M. Achhra Singh, Teacher ..	Do. ..	Do.
4	M. Bhajan Singh, Teacher ..	Do. ..	Do.
5	M. Sant Singh, Teacher ..	S. V. Middle ..	Do.

## MAINTENANCE OF GARDENS BY DISTRICT BOARD, LUDHIANA.

**\*928. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Public Works be pleased to state whether the District Board, Ludhiana, maintains any gardens within the area under its jurisdiction ; if so, the annual income from and also the expenditure that it has to incur on these gardens ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** The District Board of Ludhiana maintains three gardens, namely—

- (1) Rakh Garden, Ludhiana.
- (2) Jagraon Rest House Garden, and
- (3) Samrala Rest House Garden.

The income from and the expenditure on these gardens during the year 1936-37, were Rs. 2,353, and Rs. 3,648, respectively.

## ROADS REPAIRED BY DISTRICT BOARD, LUDHIANA.

**\*929. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the number of kacha roads owned and controlled by the District Board, Ludhiana ;
- (b) when they were repaired last ;
- (c) the annual cost of repair of each of them ;
- (d) the income to the said District Board from the trees on these roads ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) 23,—*vide* list attached.

(b) and (c) There is a permanent gang employed for the repairs and maintenance of roads Nos. (1) and (2) in the attached list. The expenditure incurred on the maintenance of these two roads during 1936-37, was Rs. 576-4-0 and Rs. 815-10-0, respectively.

Generally speaking nothing is spent on the maintenance of class III roads.

(d) No separate account is kept of the income from road side trees on kacha roads. But income from road side trees on metalled and unmetalled roads, during the year 1936-37, was Rs. 10,460.

*List of Class 2nd unmetalled roads, Ludhiana District.*

Serial No.	Name of road.	Maintenance expenditure on roads during 1936-37.
1	2	3
		Rs. A. P.
1	Ludhiana-Rahon .. .. .	576 4 0
2	Ludhiana-Raikot .. .. .	815 10 0
3	Samrala-Hodon .. .. .	Nil.

Serial No.	Name of road.	Maintenance expenditure on roads during 1936-37.
1	2	3
		Rs. A. P.
	CLASS III UNMETALLED ROADS.	
1	Ludhiana-Tihara .. .. .	..
2	Ludhiana-Nurpur .. .. .	..
3	Bagrian-Chintawala .. .. .	..
4	Jagraon-Ghalib .. .. .	..
5	Jagraon-Hatur .. .. .	..
6	Jagraon-Dalla .. .. .	..
7	Jagraon-Sidhwan .. .. .	..
8	Pukhowal-Machhiwara .. .. .	..
9	Samrala-Behlolpur .. .. .	..
10	Bagli-Isru .. .. .	..
11	Samrala-Kheri .. .. .	..
12	Samrala-Chawa .. .. .	..
13	Khanna-Isru .. .. .	..
14	Khanna-Bhari .. .. .	..
15	Khanna-Kheri .. .. .	..
16	Buddowal Railway Station to village .. .. .	..
17	Saleem-Tewari .. .. .	..
18	Utalai-Banghel .. .. .	..
19	Malaudh-Jogi Mazra .. .. .	..
20	Bassian-Lakha .. .. .	..

## UNSTARRED QUESTIONS AND ANSWERS.

## A REFUND IN FAVOUR OF VILLAGE SABRAI.

**205. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

- (a) the result of the inquiry which the Government was conducting regarding the refund of the sale-proceeds of the horses of the additional police post located at village Sabrai, district Lahore, in 1921 ;

[Dr. Sant Ram Seth.]

- (b) the amount which the Government proposes to refund as the sale-proceeds of the horses or as compensation for the same to the inhabitants of the aforesaid village?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) It has been ascertained that one horse was sold for Rs. 58. It has not been found possible, after this lapse of time, to ascertain what was done with the remainder.

(b) In view of the fact that more than thirteen years have elapsed since the mounted police were withdrawn Government do not feel justified in making any refunds to the villagers.

#### RULES REGARDING ADDITIONAL POLICE POSTS' CALCULATIONS AND RECOVERIES.

**206. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to lay on the table a statement showing—

- (a) the rules framed and sanctioned by the Government under the Police Act regulating the calculations and recoveries of the cost of additional police posts quartered under section 15 of the General Police Act during the following periods :—

- (i) 1916—1922 ;
- (ii) 1923—1927 ;
- (iii) 1928—1930 ;
- (iv) 1930—1936 ;

- (b) the amendments, if any, made by the Government in these rules in 1936 and 1937, with the date when they were sanctioned?

**The Honourable Major Sir Sikander Hyat-Khan :** A collection of papers<sup>1</sup> is attached including copies of the relevant paragraphs in the 1915 and 1934 editions of the Punjab Police Rules, the amendments made in those rules at various times, and certain Government letters containing supplementary instructions on the subject.

#### REPRESENTATION FROM VILLAGE MAKHI KHURD.

**207. Dr. Sant Ram Seth :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether Sardar Sajjan Singh and other zamindars of village Makhi Khurd, tahsil Kasur, district Lahore, submitted an application on the 20th October, 1937, complaining that owing to the defective Public Works Department bridge near Manhala Canal Bungalow the flow of the canal water which passes under it is hindered and that a suitable bridge to allow the water a free flow under it be built ;
- (b) if so, the action the Government proposes to take in the matter?

**The Honourable Dr. Sir Sundar Singh Majithia :** Reply to the first part of the question is in the affirmative.

Regarding the second part of the question on thorough investigation it has been found that the culvert in question is wide enough and that it

<sup>1</sup>Kept in the Assembly Library.

does not affect the proper working of the outlet which is just upstream of a fall and has plenty of command.

OUTLET No. R. D. 41,888, BASARKI DISTRIBUTARY.

**208. Dr. Sant Ram Seth :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the zamindars of village Narla and Mari Migha, district Lahore, presented an application to the Executive Engineer (Canal), Raiwind Division in November, 1936, complaining therein that canal outlet No. R. D. 41,888 situated at Basarki Distributary be shifted a few paces to the south from its present position; when it offered certain difficulties in respect of clearing the silt;
- (b) whether Sardar Jawahar Singh and others of village Narla submitted a similar petition to the Superintending Engineer (Canals), Amritsar Circle, on the 19th October, 1937, which was received by his office on the 20th October, 1937;
- (c) if the answers to (a) and (b) above be in the affirmative, what steps have been taken by the Canal authorities to remove the grievances of the zamindars of the aforesaid villages?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) Yes.

(c) The shareholders of the outlet applied in November, 1936 for shifting the outlet downstream of its present position but as the outlet was drawing correct discharge and the shareholders could not obtain land required for the watercourse, the case was dropped. Now with their application, dated 19th October, 1937, they have stated that necessary land has been acquired, and the case is re-opened for investigation.

ADDITIONAL POLICE POST COSTS RECOVERED FROM VILLAGE  
SUR SINGH.

**209. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to lay on the table a statement showing the recoveries made from the inhabitants of village Sur Singh, tahsil Kasur, district Lahore, on account of the additional police post costs in 1933-34?

**The Honourable Major Sir Sikander Hyat-Khan :** A statement is attached—

*Additional Police at Sur Singh—Recoveries in 1933-34.*

Date.						Amount.
1						2
22nd December, 1933	..	..	..	..	..	Rs. A. P. 1,759 11 10
12th March, 1934	..	..	..	..	..	40 0 0
15th March, 1934	..	..	..	..	..	213 0 0
Total					..	2,012 11 10

## CANAL AND REVENUE PATWARIS.

**210. Khan Sahib Chaudhri Fazal Din :** Will the Honourable Minister for Revenue be pleased to state the number of canal and revenue patwaris in the Punjab separately and also the number of canal and revenue patwaris who were dismissed in the year 1937 excluding the number of those who retired or who died during this period ?

**The Honourable Dr. Sir Sundar Singh Majithia :** I regret that the reply to this question is not yet ready.

## CRIMINAL CASES UNDER SECTIONS 183, 332 and 353, INDIAN PENAL CODE.

**211. Khan Sahib Chaudhri Fazal Din :** Will the Honourable Finance Minister be pleased to state—

- (a) whether it is a fact that the number of criminal cases filed under sections 183, 332 and 353, Indian Penal Code, on the complaints made by the civil courts in the year 1936 was more than the number of such cases filed in the years 1934 or 1935 ;
- (b) if the answer to (a) above be in the affirmative, whether it is or it is not a fact that this increase is mainly due to the false reports made by bailiffs who are easily won over by the decree-holders to frustrate the objects with which the Relief of Indebtedness Act and Debtors Protection Act were passed ; if so, the action that the Government proposes to take in the matter ?

**The Honourable Mr. Manohar Lal :** The labour and expense involved in collecting this information would be out of proportion to the results achievable by such a method of enquiry.

## AUTHORISED IRRIGATION IN DISTRICT DERA GHAZI KHAN.

**212. Munshi Hari Lal :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that the authorised irrigation in Dera Ghazi Khan district has been reduced from 65 to 45 per cent. ; if so, reasons for the same ?

**The Honourable Dr. Sir Sundar Singh Majithia :** Yes. Intensity was reduced to 45 per cent. from 1921-22 for statistical purposes as this was about the actual working intensity and there was no possibility of working to the proposed intensity without drastic enlargement of the canals but the maximum discharge of the canals was kept about the same as before.

## UNCOMMANDED AREAS AT THE TAILS OF LOWER MANKA, SHORIA AND ISLAM CHANNELS IN DISTRICT DERA GHAZI KHAN.

**213. Munshi Hari Lal :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that some areas at the tails of the Lower Manka Canal, Shoria Canal and Islam Canal in the Dera Ghazi Khan district have been excluded from the commanded areas of the said canals ; if so, such areas in each case ?

**The Honourable Dr. Sir Sundar Singh Majithia :** I regret that the answer to this question is not yet ready.

SAMUNDRI BRANCH OF NALA DHINGANA, DISTRICT DEBA GHAZI KHAN.

**214. Munshi Hari Lal :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the lands of Mauza Sobra-Nachan in the Dera Ghazi Khan tahsil situated along and irrigated by the Samundri Branch of Nala Dhingana are high and the water is headed up in the said branch to irrigate the lands in question ;
- (b) if the answer to (a) above be in the affirmative, what steps Government intend to take to raise the water to such a level as to secure the command of the above lands without reducing the proper supply of water for the tail of the said branch ?

**The Honourable Dr. Sir Sundar Singh Majithia :** I regret that the answer to this question is not yet ready.

STUDENTS ADMITTED TO PUBLIC HEALTH SCHOOL, LAHORE.

**215. Sardar Kapoor Singh :** Will the Honourable Minister for Education be pleased to state the number communitywise of students admitted this year (1937) to the Public Health School, Lahore, for Lady Health Visitor training and also the number of students of the school mentioned in (a) communitywise who have been awarded stipends this year ?

**The Honourable Mian Abdul Haye :** Eight Muslims, 2 Sikhs and 2 Christians were admitted to the Punjab Health School, Lahore, in October 1937 of whom 8 Muslims were awarded stipends.

WATERLOGGING TROUBLE IN NILON KALAN, DISTRICT LUDHIANA.

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

- (a) whether it is a fact that representations were recently made by the villagers of Nilon Kalan, tahsil Samrala, district Ludhiana, to the Deputy Commissioner, Commissioner, Revenue Minister and the Chief Engineer (Irrigation) drawing their attention to the damage caused by waterlogging to their fields due to the overflow of Sirhind Canal ;
- (b) if so, the steps that the Government has taken so far to redress the grievances of these villagers and to protect them from the curse of waterlogging in future ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) The proposals for giving relief to those villages are under investigation.

SCALES OF FEES CHARGED BY CIVIL SURGEONS, ETC.

**217. Lala Deshbandhu Gupta :** Will the Honourable Minister for Education be pleased to state the whether it is a fact that the scale of fees charged by the Civil Surgeons, Assistant Surgeons and other lower grade doctors employed in Government and Government aided dispensaries for visiting patients at their houses has undergone no change during the last

[L. Deshbandhu Gupta.]

ten years; if so, whether in view of the appreciation of the value of the rupee during this period Government intends to revise the scale of such fees now?

**The Honourable Mian Abdul Haye :** Government have not fixed any scale of fees to be charged by medical officers in Government service, in the course of their private practice, hence the question of revision of the scale of fees does not arise.

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CERTIFICATES IN CRIMINAL CASES GIVEN BY GOVERNMENT MEDICAL OFFICERS.

**218. Lala Deshbandhu Gupta :** Will the Honourable Minister for Education be pleased to state—

- (a) whether any cases of issuing of false certificates to persons involved in criminal cases by the medical practitioners employed in Government service have come to the notice of the Government either departmentally or through the Criminal and Civil Courts during the last three years;
- (b) if so, the number of such cases;
- (c) the action, if any, taken by Government in each such case?

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

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ATTENDING TO PAID PATIENTS BY DOCTORS WHEN ON DUTY IN HOSPITALS, ETC.

**219. Lala Deshbandhu Gupta :** Will the Honourable Minister for Education be pleased to state whether Government have received any complaints that some medical practitioners employed in Civil Hospitals and Dispensaries under the charge of the Government and Local Bodies absent themselves during their hours of duty in such hospitals and dispensaries in order to attend to patients at their houses on receipt of fees from them; if so, whether rules permit these doctors to so absent themselves during these hours, and, if not, whether Government proposes to place some check on them to avoid the breach of rules?

**The Honourable Mian Abdul Haye :** None. In accordance with paragraph 398 of the Punjab Medical Manual, the medical officer incharge of a hospital or dispensary is required to be present at the hospital during the hospital hours fixed therein.

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ADJOURNMENT MOTION.

RE. STRIKE OF OWNERS AND DRIVERS OF MOTOR TAXIS.

12 NOON.

**Mr. Speaker :** Now the House will take up adjournment motions.

**Sardar Hari Singh** (Kangra and Northern Hoshiarpur, Sikh, Rural) : Mr. Speaker, with your permission I beg leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance namely, the province-wide strike by owners and drivers for motor taxis on the last New Year Day resulting in complete cessation of

lorry traffic all over the province and extreme inconvenience and considerable loss suffered by the public thereby, and the administrative responsibility of the Government involved in the matter.

**Mr. Speaker :** Any objection ?

**Mir Maqbool Mahmood** (Parliamentary Secretary): Mr. Speaker, I object to the admissibility of this motion on the ground that no administrative responsibility of the Government is involved. I am authorised to state that the Motor Union had already been informed before they came in procession here that the Punjab Government had no intention of introducing any measure affecting the provincial motor taxation nor is it under consideration at present. The Punjab Motor Taxation schedule is one of the many subjects at present under examination by the Special Resources and Retrenchment Committee, but even that body has not yet formulated their views on it.

**Sardar Hari Singh :** On a point of order, Sir. The honourable member was asked to state if he has any objection to this motion. But he has begun to make remarks which he should make when debate takes place on the subject. He may only state his technical objections.

**Mir Maqbool Mahmood :** I may point out that the administrative responsibility of the Government is not involved.

**Mr. Speaker :** Will the honourable member please explain how the administrative responsibility of the Government is involved ?

**Sardar Hari Singh :** Sir, the responsibility of the Government is involved in this manner. There was a province-wide *hartal* by owners and drivers of motor taxis on the 1st January. If you look at the importance of the strike from the public point of view, you will find that it involves the administrative responsibility of the Government. If the Government had enquired into the grievances and redressed them in time, this situation would have never arisen. Unless those grievances are redressed, there can be repetition of such strikes and again the public shall be put to great inconvenience and suffer a loss.

**Mir Maqbool Mahmood :** With regard to that point I would submit that Government has not been officially addressed to hold an enquiry in this matter by the Motor Union. Before the procession came here on the 10th, the Government reply explaining the whole matter had been placed in the hands of the Secretary of the Union. If anybody takes into his head that without any basis or reference to Government the Government proposes introducing a certain legislation or that they have come to a certain decision, obviously it is not for the Government to take action. If the Motor Union had any new grievances, they should have approached the Government and they would have got a reply as they did recently. But nothing of the sort was done.

**Mr. Speaker :** I am inclined to think that responsibility of the local Government, as stated by the honourable mover of the motion, was involved. The Government came to know that the Motor Union was preparing to observe *hartal*. The question is whether Government took any action to prevent the *hartal*. So I give consent to leave being given. (*Cheers from the Opposition.*)

[Mr. Speaker.]

Sardar Hari Singh has given notice of his intention to move a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the province-wide strike by owners and drivers of motor taxis on the last New Year Day resulting in complete cessation of lorry traffic all over the province and extreme inconvenience and considerable loss suffered by the public thereby, and the administrative responsibility of the Government involved in the matter.

The words "resulting from.....thereby" may be omitted, as they are argumentative. I think the House has no objection to the leave being given to the motion. (*Voices: Yes there is objection.*) Those who are in favour of the leave being given to the motion may rise in their places.

*As more than 30 members stood, leave to move the motion was granted. With the consent of the House, Mr. Speaker fixed 3 o'clock on 14th January, 1938, for the discussion of the motion.*

## RULES OF PROCEDURE.

### Rule 19.

**Mr. Speaker :** The House will now resume discussion on Rule 19.

**Khan Bahadur Mian Mushtaq Ahmad Gurmani** (Parliamentary Private Secretary) (*Urdu*): Sir, the privilege of asking questions affords a useful opportunity to the legislature of supervising the administration of the Government. It turns a searchlight upon every corner of the public service. My honourable friend Sardar Sampuran Singh has probably misunderstood the meaning of "question" in its legislative sense. He has taken it to mean *sawal* in Punjabi which means begging. This is not correct and if the question is taken to mean begging, by my honourable friends sitting opposite and it is intended by them to start making *sawals* to the Government as soon as the Assembly meets, this august House will look like Anarkali, where crowds of beggars rally round the occupants of a motor car or a well-dressed visitor making *sawals* in the name of God. I am sure my honourable friends could never condescend to play the roll of Anarkali beggars (*laughter*). If the interpretation of the word "question" given by my honourable friend is accepted the Assembly Chamber will have a great similarity with the Deputy Commissioner's bungalow of the early 20th century when the good old Deputy Commissioner used to ask his visitors "Koi Arz Hai" (Have you any request to make?) and the visitors used to place their requests before him for his consideration. Would the members of the opposition like the Government of to-day to ask them as soon as the Assembly meets "Koi Arz Hai" and hear the *sawals* of the honourable members of the opposition for one hour every day. Sir, the object of an Assembly question should be to seek information with regard to important political and administrative matters or to draw the attention of the Government to certain defects in the administration and to find out what action Government is taking in the matter to put things right. Existing as well as the proposed rules give this right to honourable members. Sub-rule (14) of Rule 20 lays down that a question must not amount in substance to a suggestion for any particular action but it may ask for the statement of the intention of the Government in respect of a matter on which a question may be asked. The amendment moved by my honourable friend Lala Dun Chand

will extend to private members the right of making suggestions for a particular action being taken in the matter on which a question is asked. This will amount to an interference with the administrative responsibility of the Cabinet. If this practice is adopted and private members start making suggestions for a particular action in a particular matter in the field of administration the Ministers and the Cabinet will be greatly embarrassed. The honourable members in most cases have one-sided information on a subject and unless they have examined all the *Pros* and *Cons* of the question they could not be expected to arrive at a correct decision, and hence their suggestion for a particular action may not always be sound. Moreover the House may not be in agreement with the action proposed by an individual member or the members may have different suggestions to make in the matter. If an honourable member wishes the Government to take a particular action in the matter, he can move a resolution on the subject which should be discussed and the opinion of the House obtained on it. But it would be very embarrassing to give this privilege in the matter of questions in which case no debate is allowed.

**Mr. Speaker :** To which amendment is the honourable member speaking ?

**Khan Bahadur Mian Mushtaq Ahmad Gurmani :** Sir, I am speaking on the amendment moved by Lala Duni Chand. Sir, in every parliamentary system of Government the administrative responsibility of the Government rests with the Cabinet, though the Cabinet is answerable to the legislature for its actions. The legislature, however, does not try to interfere in the administrative responsibilities of the Cabinet. If the proposed amendment of my friend is accepted, it would mean that the Cabinet of the Punjab consists of 6 Ministers and 169 co-opted members. Does my honourable friend wish that all the members of the legislature should be made co-opted members of the Cabinet. Will it be right that an honourable member should bring forward a grievance and himself suggest as to how it should be redressed. It would be just like a patient going to the doctor and after telling him the history of his case starting dictating to him the prescription for himself. Sir, my honourable friends sitting opposite are never tired in referring us to the Congress Cabinets in other provinces. I have stated many times that our methods are different from those of the Congress. The Congress has come into office only 6 months ago and they have no administrative experience. They are novices in the field of administration. How can my honourable friend compare amateurs and novices with us who have more than 17 years practical experience of administration to our credit. I am sure, the Congress Ministers will also follow our footsteps after they have gained some experience and learnt the art of administration. The proceedings of Cabinet meetings in every country are kept secret, but our Congress Ministers have to submit their reports to their guardians appointed by the Congress Working Committee and get their orders from them in all important matters. This shows that the Congress itself does not consider its Ministers to be capable of discharging their duties as Cabinet Ministers and have appointed a few guardians to guide these inexperienced and raw administrators even though this practice may in some cases involve the violation of the oath of secrecy taken by the Ministers. In the Punjab our electorate has confidence in our administrative capacity. That is why

[K. B. Mushtaq Ahmad Gurmani.]

they have not felt the need of appointing supervisors on us. Sir, there is one thing more which I would like to say in this connection and it is this: My honourable friends of the Congress are pledged to wreck the constitution and we hardly expect that they would make constructive and useful suggestions. Do they expect us to invite and accept their suggestions for the destruction of the constitution and for bringing the administration to a stand still? The principle underlying the proposed amendment is not accepted in any other constitutional Government of the world. The responsibility of administrative action must remain with the Cabinet. If each member of the legislature takes it upon himself to dictate to the Cabinet Ministers, the administration cannot go on for any length of time. The House has, however, full authority to criticise, guide or control the policy of the Cabinet by other constitutional means provided under the rules. With these words, Sir, I oppose the amendment under consideration.

**Sardar Partab Singh** (Amritsar South, Sikh, Rural) (*Punjabi*): The amendment moved by my honourable friend Lala Duni Chand is very important and is intended to be made in rule 19 which relates to the subject matter of questions. Whenever we put a question to the Minister in charge of a department even if it may not be intended to elicit information on a particular matter it may amount to a request on the part of the member putting the question that a certain action may be taken on that matter. The point that we have now to consider is what action the Minister concerned will propose to take in the matter. It has been stated that if that were to be the object of interpellations we would seriously violate the provision of Rule 19. But my honourable friend, Mian Mushtaq Ahmad Gurmani, has observed just now that honourable members obviously do not realize the difficulties that stand in the way of the Government in this connection.

**Khan Bahadur Mian Mushtaq Ahmad Gurmani**: I did not say that.

**Sardar Partab Singh**: I admit that the Government has to face many difficulties in meeting the wishes of the honourable members.

**Tikka Jagjit Singh Bedi**: On a point of order, Sir. The honourable member is an M.A. of the Punjab University and yet he is speaking in Punjabi. Is that correct?

**Mr. Speaker**: Is the honourable member an M.A. of the Punjab University?

**Sardar Partab Singh**: No, Sir, not of the Punjab University. I am an M.A., of an American University.

**Mr. Speaker**: In what subject?

**Sardar Partab Singh**: Economics.

**Mr. Speaker**: Did he pass his B.A.?

**Sardar Partab Singh**: I possess an American degree in Politics.

**Mr. Speaker**: If the honourable member says on the floor of the House that he is unable to express himself in English, I think, I have no option but to accept his words. (*Cheers from Opposition benches*).

**Lala Bhim Sen Sachar :** Who does not know that Khan Bahadur Mian Musthaq Ahmed Gurmani can speak English as well as he can speak Urdu.

**Sardar Partab Singh :** I am not sufficiently acquainted with this subject.

**Khawaja Ghulam Samad :** Will he be allowed to speak in English again if he speaks on this subject in Vernacular ?

**Mr. Speaker:** Has the honourable member been addressing the House in English ?

(Voices : This is his first speech.)

**Sardar Partab Singh (Punjabi):** My honourable friend Mian Mushtaq Ahmad Gurmani has remarked that if the amendment moved by Lala Duni Chand were accepted it would certainly interfere with the ministerial duties of the Ministers. It is a strange argument and with due deference to the Chair, I would say that there is no sense in it. My respectful submission is that it is almost absolutely necessary in the public interest to know what action the Government is going to take in such and such a matter. If any minister does not think it fit to express his intentions with regard to certain matters, I am sure, it is no use seeking mere information by means of questions in the Assembly. If my honourable friends on the opposite benches intend to make their ministry popular, they ought not to deprive the members of this right of asking questions for the purpose of obtaining information as to what action the Government intends to take in a certain matter. I am at a loss to understand what possible benefit the members would derive from getting mere information.

Again, each and every member of the House is not afforded the opportunity of expressing his ideas and if any member were allowed to speak his mind he is not given sufficient time. And in so short a time the member in possession of the House finds it impossible to throw light upon all the matters he is interested in. Every member happens to be keenly interested in matters concerning his constituency. Moreover, the electorates are closely watching the members as to what they are doing in the House for their welfare. If the grievances of the voters were not placed before the Government and the action which the Government intends to take in that respect is not ascertained the presence of the honourable members in this House would serve no good purpose. It would merely be a waste of time. At present during the question hour, i.e., from 11 A.M. to 12 noon, questions are answered in a machine-like manner. No substantial work is done. No terse or pithy answer is given. No useful information is supplied by the Government, and sometimes the ministers keep mum and refuse to give answers to the supplementary questions. In this state of affairs it is extremely difficult for us members to satisfy our voters who relied upon us and elected us to safeguard their interests.

Through you, Sir, I would like to let the honourable members know the procedure which is being adopted in framing answers to questions asked by us. When a question is asked it is sent to the department concerned by the Minister to whom it is addressed. The department makes inquiries into the matter and submits the answer in an evasive form, which is read out in the House by the Minister. In such answers every possible attempt

[S. Partab Singh.]

is made to vindicate the conduct of the Government and to conceal the real facts. Moreover, they do not contain any assurance as to the removal of the genuine grievances of the poor voters. Owing to this defective procedure the Minister concerned does not find any opportunity of making personal inquiries into the matter. He is kept in the dark about the real facts of the case by the department concerned. Sir, if we were not given the right of asking questions for the purpose of obtaining information as to what action the Government intends to take in regard to a certain matter the purpose of asking questions would be defeated. On the other hand if the amendment moved by Lala Duni Chand were accepted the minister concerned would be bound to take special interest in the question. He would direct his parliamentary secretary to go through the whole case and see where the defect lies and how it can be removed.

Sir, we want comprehensive, simple and clear answers but we are given evasive replies. It is a matter of regret that we are given short and complicated answers. If the Ministers were to take upon themselves the responsibility of personally checking all the matter contained in the questions addressed to them, the departments under them would become more careful in the future and consequently the burden of their administrative responsibilities would be lightened.

I request the Unionist party, through you, Sir, that it should not make it a party question. My honourable friends on the opposite benches should support this extremely useful amendment and not object to it on the ground that it has been moved by an honourable member from this side of the House.

I do not want to take much time of the House but I would like the members of the Unionist party who do not understand English to realise that their rights are being encroached upon by opposing this amendment.

In the end, I respectfully request the honourable members of the Unionist party, and the Khalsa Nationalist party and my jat brethren of Rohtak that they should whole-heartedly support this amendment. They ought to know that the Unionist party has not formed a permanent ministry. It may be overthrown at any time, and the treasury benches may be occupied by popular ministers and the real representatives of the masses. And if this amendment is accepted, it would help them a lot in the future.

With these remarks I whole-heartedly support the amendment moved by my friend Lala Duni Chand.

**Khawaja Ghulam Samad (Urdu):** I would request you, Mr. Speaker, not to ignore the back benchers: They may also occasionally be given opportunities to speak.

**Mr. Speaker:** Following the parliamentary practice I call first the occupants of the front benches, if they rise. Occasionally I call the back benchers as well. Either we may follow the parliamentary practice or the party whips may let me have the names of members whom they wish to speak for their respective parties.

**Sardar Hari Singh:** May I draw attention to the parliamentary practice also that new members who have not spoken in the House should also be given an opportunity to speak?

**Mr. Speaker:** I know the practice and have been following it.

**Mian Sultan Mahmud Hotiana (Urdu):** You should not only pay attention to the back benchers of the Opposition but also to those of the Unionist party.

**Mr. Speaker:** The second best course will be that those gentlemen who want to speak should send me their names and I will see if I can accommodate them. I will do my best.

**Lala Deshbandhu Gupta:** May I speak in Urdu?

**Mr. Speaker:** No.

**Lala Deshbandhu Gupta (South-Eastern Towns, General, Urban):** Sir, the speeches made from the other side against this amendment betray deplorably narrow outlook of the members occupying the Treasury Benches. It seems that some of them are given to believe that the Unionist Government is a permanent fixture and these rules and standing orders are to serve as weapons of protection for the Unionist Government. Perhaps they apprehend that suggestions that are made from this side weaken the Unionist Government and help in exposing the weaknesses of the Unionist Government before the public. If that was not the case, I cannot imagine for a moment why they should oppose an amendment, an innocent amendment and a harmless amendment of the nature proposed by my honourable friend Lala Duni Chand, unless of course the Treasury Benches think that it is sheer presumption on the part of the Opposition to offer any suggestions to the Unionist Government like the two Unionist members who have spoken in that strain. I think the Government should have no objection whatsoever in accepting an amendment of this nature. We are not asking for anything which is extraordinary. After all if you refer to "Campion" page 127 at the bottom you will find that it is expressly mentioned there that the object of interpellations is two-fold. It says, a question should be genuinely asked for seeking information and for pressing for action. I really do not see why it has escaped the attention of the Treasury Benches. This has been the practice in the House of Commons. No exception is taken there to any suggestion made by the Opposition. On the other hand Government always welcome suggestions from the Opposition. I cannot understand why they should try to curb the latitude allowed to the Opposition in asking questions. It is really funny that an honourable member from the other side gets up and remarks that the Opposition is not well versed in the art of administration and hence the privilege of making suggestions should be denied. The honourable member perhaps believes that they are permanent fixtures and that it is they and they alone who are capable of carrying on the administration of the province. He forgets that in 7 provinces, out of eleven to-day those who occupied the Treasury Benches yesterday are occupying the opposition benches to-day. If on a matter like that which is under discussion at the moment the amendment proposed by my friend is voted down or is disallowed its result would be that if to-morrow members of the Treasury Benches happen to form the Opposition they will also be faced with the same difficulty which they are trying to create for the Opposition to-day, and at that time the House will be deprived of the valued experience which the members occupying the Treasury Benches now are gaining at a very heavy cost to the tax payer. Do they mean by opposing

[L. Deshbandhu Gupta.]

the amendment that no suggestions from the Opposition are worth accepting or that all suggestions coming from the Opposition should be looked upon with contempt? I fail to see the reason of their opposing an amendment of that nature. Unless they think that they are permanently there, unless they believe that there is no possibility of change of Government of the province, unless they are under the delusion that they have to remain there for all time to come I think no serious objection can be taken to the amendment proposed by my friend Lala Duni Chand. If they think like that they are seriously mistaken. They do not read the signs of the time. They do not know what forces are acting against them. If they rely on such weak weapons I can prophesy that the day will not be far to seek when they will have to come to grief. I trust the amendment would be acceptable and they will look at it with a wider outlook and will not make it a party question as they have been doing heretofore.

**Khwaja Ghulam Samad** (Southern Towns, Muhammadan Urban) (Urdu) : Sir, the amendment moved by my honourable friend Lala Duni Chand appears to be a very reasonable and useful one inasmuch as the object of interpellations is in fact to move the Government to take a certain action in a particular matter. Our experience in the past has proved that Government takes but little action on matters with regard to which the honourable members of the House put questions. This amendment is, therefore, highly called for. But I cannot help observing that the honourable mover has not paid full attention to the conditions now prevailing in the province. Had he done so, I am perfectly sure he would not have brought forward such an amendment. It is an open secret to say that in this province clash of communal interest is conspicuous and each community is feeling against the other. If a certain measure is calculated to be highly beneficial to one community, the other will come forward and say that it would adversely affect its interests. A little while ago an honourable member complained that the number of questions proposed to be asked in the House, the majority of which pertained to communal matters, is so large that in the last three sittings of the Assembly we had not been able to finish them within the time allotted for them. But for the present communal tension I would have been the first to lend my whole-hearted support to this question. As I have already explained, I am afraid I cannot see my way to support it. If this amendment is carried, it will prove to be a convenient handle for the communalists who will try to hinder speedy execution of the business of the House. In the circumstances it will be impolitic and imprudent on our part to accept it.

The other day a friend of mine put forward a very strange theory regarding the real object of interpellations. To him this meant begging. But I fail to appreciate the position he has taken. When we put a question to a servant, the object in view is not only to seek information, but also to require some action on his part. Similarly when a teacher asks some questions from a student, it does not mean that the teacher is begging for enlightenment. Obviously he wants to know what the pupil has accomplished in that connection. In view of these illustrations I would observe that if the Government were to appreciate the real object of interpellations in this House it will certainly realise that the aim of every question asked on the

floor of this House is to suggest some omission or commission on the part of the Government. It also requires the Government to take necessary action in the matter in order to redress a certain grievance or eradicate certain evils which may be existing in the constituency of a member who has put that question. With these words I oppose the amendment and hope that the honourable mover will not press it.

**Mr. Speaker :** The question is—

That the question be now put.

*The motion was carried.*

**Lala Duni Chand** (Ambala and Simla, General, Rural) : Sir, I thank the honourable members of this House for the light that they have been able to throw upon this most important question. The Honourable Mir Maqbool Mahmood stated in a very significant way that if this amendment is allowed, then it will cut at the very foundations of responsible Government. I do not think that the foundations of responsible Government can be in any way damaged by this right being conceded to the members of this House. I do think that the Government is powerful enough and responsible enough but assuming that the statement is correct, than I say that the sooner the edifice which stands on this slender and shaky foundation collapses the better it is.

Khan Bahadur Mian Mushtaq Ahmad Gurmani has got his own style of making a speech and I very much appreciate and admire it. He says that we are committing the sin of beggary through this motion. May I remind him that the conditions in which men like the Khan Bahadur have been brought up has the very atmosphere of beggary and has the very atmosphere of slavery. The very foundations of this Government have been laid on the idea of prayers and beggary. Does he not know that an ordinary official insists upon the exercise of his right that whenever he is addressed he should be addressed as "*hazur*" or as "*sarkar*". Does he not know that an average sub-inspector and an average tahsildar and an average naib-tahsildar insists that he should be addressed as "*sarkar*". I think that the Khan Bahadur has been addressing the sub-inspectors and the tahsildars and the naib-tahsildars as "*sarkar*". If that is so, what objection can there be when we request for a certain action which in our opinion is calculated to do a large amount of good to the people? I do ask the Khan Bahadur to change his views with regard to these things. The times are changing and I do not know if it is too late for him to change too.

There is another member of the Unionist Party who belongs fortunately to my district. He has made a very significant speech. I thank him for the honest confession that he has made and I thank him also for the advice that he has offered to his masters. But I am sorry for the lack of moral courage that he has shown. He says that my amendment is a very useful one and a very good one and that under certain circumstances he would be the first man to support such an amendment. But he put forward a very curious argument that if this amendment is allowed the business of Government would increase. After all what for does that Government exist here? It exists to remove the grievances of the people, it exists to take action on those suggestions that might be made by honourable members like Mr. Ghulam Samad and others. I hope the treasury benches will take this

[L. Duni Chand.]

advice from a very good member and I shall also request him to walk with us into the lobby. After all he is a free agent. Lobbies are not meant for slaves; lobbies are meant for free agents. If he is a free agent (*A voice*: What about you.) You would never find me not acting according to my convictions. I need not pursue this matter any further. If any authority was required that authority has been quoted by my learned friend, Lala Desh Bandhu Gupta. It is perfectly clear from that authority and from the practice of the House of Commons that the object of interpellation is two-fold. To obtain information, to elicit information—the word used is ‘*elicit*’—and to suggest action. I shall be sorry for the Treasury Benches if they oppose this motion. With these words I still hope that the Treasury Benches will get wiser and allow this motion.

**Mr. Speaker :** The question is —

That in line 3 after the word “information” the words “or action being taken” be added.

*The Assembly divided : Ayes 29, Noes 87.*

1 P.M.

AYES : 29.

Baldev Singh, Sardar.  
Bhagat Ram Choda, Lala.  
Bhagat Ram Sharma, Pandit.  
Bhim Sen Sachar, Lala.  
Chanan Singh, Sardar.  
Deshbandhu Gupta, Lala.  
Duni Chand, Lala.  
Gopi Chand Bhargava, Dr.  
Hari Lal, Munshi.  
Hari Singh, Sardar.  
Harjab Singh, Sardar.  
Kabul Singh, Master.  
Kapoor Singh, Sardar.  
Kartar Singh, Chaudhri.  
Kishan Singh, Sardar.

Muhammad Abdul Rahman Khan,  
Chaudhri.  
Muhammad Hassan, Chaudhri.  
Muhammad Iftikhar-ud-Din, Mian.  
Mula Singh, Sardar.  
Muni Lal Kalia, Pandit.  
Partab Singh, Sardar.  
Prem Singh, Mahant.  
Raghbir Kaur, Shrimati.  
Rur Singh, Sardar.  
Sampuran Singh, Sardar.  
Sant Ram Seth, Dr.  
Shri Ram Sharma, Pandit.  
Sohan Singh Josh, Sardar.  
Sudarshan, Lala.

NOES : 87.

Abdul Haye, The Honourable Mian.  
Abdul Rahim, Chaudhri (Gurdaspur).  
Abdul Rahim, Chaudhri (Gurgaon).  
Afzaal Ali Hasnie, Sayed.  
Ahmad Yar Khan Daulatana, Khan Bahadur Mian.  
Ali Akbar, Chaudhri.  
Amjad Ali Shah, Sayed.  
Anant Ram, Chaudhri.

Ashiq Husain, Captain.  
Badr-Mohy-ud-Din Qadri, Mian.  
Bhagwant Singh, Rai.  
Binda Saran, Rai Bahadur.  
Chhotu Ram, The Honourable Chaudhri Sir.  
Dasaundha Singh, Sardar.  
Faiz Muhammad Khan, Rai.  
Faiz Muhammad, Shaikh.  
Faqir Chand, Chaudhri.  
Faqir Husain Khan, Chaudhri.

Ferman Ali Khan, Subedar Major.  
 Fateh Jang Singh, 2nd Lieut. Bhai.  
 Fateh Muhammad, Mian.  
 Fateh Sher Khan, Malik.  
 Fazal Din, Khan Sahib Chaudhri.  
 Fazal Karim Bakhsh, Mian.  
 Ghazanfar Ali Khan, Raja.  
 Ghulam Mohy-ud-in, Maulvi.  
 Ghulam Qadir Khan, Khan Bahadur.  
 Ghulam Rasul, Chaudhri.  
 Ghulam Samad, Khawaja.  
 Gopal Das, Rai Sahib Lala.  
 Gopal Singh (American), Sardar.  
 Habib Ullah Khan, Malik.  
 Hans Raj, Bhagat.  
 Harnam Dass, Lala.  
 Het Ram, Rai Sahib Chaudhri.  
 Indar Singh, Sardar.  
 Jagjit Singh, Bedi, Tikka.  
 Jahan Ara Shah Nawaz, Mrs.  
 Jahangir Khan, Chaudhri.  
 Jalal-ud-Din Amber, Chaudhri.  
 Jogindar Singh Man, Sardar.  
 Jugal Kishore, Chaudhri.  
 Khizar Hayat Khan, Tiwana, The Honourable Nawabzada Major.  
 Kishan Dass, Seth.  
 Manohar Lal, The Honourable Mr.  
 Maqbool Mahmood, Mir.  
 Mubarak Ali Shah, Sayad.  
 Muhammad Akram Khan, Khan Bahadur Raja.  
 Muhammad Faiyaz Ali Khan, Nawabzada.  
 Muhammad Hassan Khan, Gur-chani, Khan Bahadur Sardar.  
 Muhammad Hassan, Khan Bahadur Makhdum Sayed.  
 Muhammad Hayat Khan, Noon, Nawab Malik Sir.  
 Muhammad Hussain, Sardar.  
 Muhammad Saadat Ali Khan, Khan Sahib Khan.

Muhammad Sarfraz Khan, Chaudhri.  
 Muhammad Wilayat Hussain Jeelani, Makhdumzada Haji Sayed.  
 Muhammad Yasin Khan, Chaudhri.  
 Muhammad Yusuf Khan, Khan.  
 Mushtaq Ahmad Gurmani, Khan Bahadur Mian.  
 Muzaffar Ali Khan, Qizilbash, Sa dar.  
 Muzaffar Khan, Khan Bahadur Captain Malik.  
 Narendra Nath, Diwan Bahadur Raja.  
 Nasir-ud-Din, Chaudhri.  
 Nasir-ud-Din Shah, Pir.  
 Naunihal Singh, Mann, Lieutenant Sardar.  
 Nawazish Ali Shah, Sayed.  
 Nur Ahmad Khan, Khan Sahib Mian.  
 Prem Singh, Chaudhri.  
 Ram Sarup, Chaudhri.  
 Ranpat, Chaudhri.  
 Ripudaman Singh, Thakur.  
 Roberts, Professor W.  
 Sahib Dad Khan, Khan Sahib Chaudhri.  
 Shahadat Khan, Khan Sahib Rai.  
 Shah Nawaz Khan, Nawab Khan.  
 Sham Lal, Rai Bahadur Chaudhri.  
 Sita Ram, Lala.  
 Sultan Mahmud Hotiana, Mian.  
 Sumer Singh, Chaudhri.  
 Sundar Singh, Majithia, The Honourable Dr. Sir.  
 Suraj Mal, Chaudhri.  
 Talib Husain Khan, Khan.  
 Tara Singh, Sardar.  
 Tikka Ram, Chaudhri.  
 Ujjal Singh, Sardar Sahib Sardar.  
 Umar Hayat Khan, Chaudhri.  
 Wali Muhammad Sayyal Hiraj, Sardar.

**Mr. Speaker :** The next amendment is —

That in line 4, after the words " public concern " the words " or public interest " be added.

*The motion was lost.*

*The Assembly then adjourned for lunch.*

*The Assembly re-assembled at 2-6 P.M. Mr. Speaker in the Chair.*

**Mr. Speaker :** The question is :—

That rule 19 be adopted.

*The motion was carried.*

### Rule 20.

**Lala Duni Chand** (Ambala and Simla, General, Rural) : Sir, I beg to move that in sub-rule (2), after the word "information" the words "or action being taken" be added.

(*Voices :* This amendment has already been debated upon.)

**Mr. Speaker :** As it has been dealt with already, it cannot be moved.

**Lala Duni Chand** (Ambala and Simla, General, Rural) : Sir, I beg to move —

That in sub-rule (1), lines 4-5 for the words "for which he is officially responsible" the words "which falls within his ministerial jurisdiction" be substituted.

My reason for moving this amendment is that the words "officially responsible" do not meet the requirements. Sometimes questions are disallowed on the ground that they do not relate to a matter for which the Minister is officially responsible. I want to make it more general so that whenever questions are brought forward pertaining to any matter falling within ministerial jurisdiction, they must be replied to by the ministers concerned. I, therefore, move that in place of the words "for which he is officially responsible" the words "which falls within his ministerial jurisdiction" be substituted.

**Minister for Finance :** What do you mean by 'jurisdiction'?

**Lala Duni Chand :** Anything about which you can exercise your ministerial powers with regard to certain particular act, for instance, when questions relating to second class municipalities are put, it is urged that as the powers of the local Government have been transferred to the Commissioners, ministers are not officially responsible for that. Questions are disallowed sometimes on that ground. I want that all questions relating to any department of the Government, ministers should be required to answer those questions. With these few words I move my amendment.

**Mr. Speaker :** Rule under consideration, amendment moved is—

That in sub-rule (1), lines 4-5, for the words "for which he is officially responsible," the words "which falls within his ministerial jurisdiction" be substituted.

**Sardar Dasaundha Singh** (Deputy Speaker) : Sir, the legitimate sphere of a question is a matter which concerns the official responsibility of a minister. Either the minister should be officially responsible for that matter or he should be officially connected with it. 'Jurisdiction' is not the proper word for it. It is official responsibility that matters. The proper function of a question

or one of the main functions of a question is to afford a useful method of supervising the administration. Now in supervising the administration—

**Lala Duni Chand :** If you add the words “with which he is officially connected”, then I will not move my amendment.

**Mr. Speaker :** The words “officially connected” are already there. So, the amendment is out of order.

**Lala Duni Chand** (Ambala and Simla, General, Rural) : Sir, I move—

That sub-rule (5) be omitted.

In the form of these restrictions, there are so many halts that have been put round our necks. I want to get rid of as many of them as I can possibly do. According to this sub-rule it is necessary for every member of this House, before putting any question, to make himself responsible for the accuracy of the statement contained therein. I do not mean to say that any member that puts any question can afford to be irresponsible. I do want that every member should be responsible for the correctness of every question that he puts. But I am strongly opposed to the sub-rule being added. Every member of this House is supposed to be responsible and to act in a responsible manner. I consider that the addition of this sub-rule is a sort of reflection upon members of this House.

I do not like that it should be made a condition precedent to putting questions. I submit that it is not necessary for the members to give an undertaking, it is a sort of undertaking that is required of the members. Every member will rebel against this idea. With these words I propose and move this amendment, and every self-respecting member of this House, as I believe every member is self-respecting, will vote for this amendment.

**Mr. Speaker :** Rule under consideration, amendment moved :—

That sub-rule (5) be omitted.

**Sardar Dasaundha Singh** (Deputy Speaker) : Sir, this restriction that is placed on the privilege of putting questions is a necessary restriction. It applies only when a question is based on a certain statement. When a question is based on a statement it is necessary that a *prima facie* proof should be coming forth. This restriction is taken from Parliamentary practice. It being a necessary restriction, I oppose the amendment.

**Lala Duni Chand :** No such restriction is to be found in the rules of the Central Assembly nor so far as I know in the rules of any other provincial assembly.

**Minister for Finance :** As a matter of information may I tell the honourable member that in the new rules in Bombay a rule stands thus :—

“If it contains a statement, member asking the question must make himself responsible for the accuracy of the statement.”

The only words that are not there, which I think are really superfluous, are ‘by the member himself’. They may be cut out.

**Sardar Hari Singh :** Have these rules been passed by the Assembly ?

**Minister for Finance :** We all know it perfectly well that we in the Punjab are the first to consider these rules of procedure.

**Mr. Speaker :** If these words are superfluous, an amendment may be moved to omit them.

**Sardar Dasaundha Singh :** I beg to move—

That the words ' by the member himself ' in sub-rule (5) of rule 20 be deleted.

**Pandit Muni Lal Kalia :** On a point of order, Sir. The amendment should be made in writing.

**Mr. Speaker :** Yes. But it is in my discretion to take an oral amendment.

**Pandit Muni Lal Kalia :** I hope this discretion will be used in our favour as well.

**Mr. Speaker :** Question is—

That the words ' by the member himself ' in sub-rule (5) of rule 20 be deleted.

*The motion was carried.*

**Mr. Speaker :** The question is --

That sub-rule (5) be omitted.

*The motion was lost.*

**Lala Duni Chand** (Ambala and Simla, General, Rural) : Sir, I move—

That in sub-rule (6), lines 2-3, after the words " defamatory statement " the words " not relevant to the question " be added.

I submit that in putting questions and while discharging our duty as members of the House it becomes very necessary sometimes to say things which might be regarded in the ordinary language as defamatory and libellous. In fact it is sometimes necessary to use such expressions in order to get the necessary information from the Government. For instance, when putting a question relating to bribery, corruption or kidnapping, one is, for the sake of getting information, apt to use certain words which may be regarded as defamatory. I do not like any one to defame another merely for the sake of defamation, but when it becomes necessary in the discharge of one's duty, it may be allowed. I, therefore, have added the words ' not relevant to the question ' after the word ' defamatory statement. ' If those expressions are relevant to the question no objection should be taken.

**Mr. Speaker :** Rule under consideration, amendment moved—

That in sub-rule (6), lines 2-3, after the words " defamatory statement " the words " not relevant to the question " be added.

**Pandit Muni Lal Kalia** (Ludhiana and Ferozepore, General, Rural) : With regard to the amendment proposed by Lala Duni Chand, the addition which is going to be proposed on the word ' defamatory ' is both harmless and useful. In sub-rule (5) it is laid down that a member will be responsible for what he states in a question. In that case it is not at all harmful to amend the clause as suggested by the mover of the motion, because in that case the clause as it at present stands will, to a great extent, check the free will and the free choice of the members in putting questions. It is, therefore, necessary that a word which is liable to do damage to the freedom of speech and to the freedom of putting questions should not be retained in this clause. I, therefore, support the amendment that the words " irrelevant to the question " should be added.

**Mr. Speaker :** The question is—

That at the end of sub-clause (6) the words " not relevant to the question " be added.

*The motion was lost.*

**Sardar Hari Singh** (Kangra and Northern Hoshiarpur, Sikh, Rural) :  
I beg to move—

That sub-rule (7) be deleted.

Now let us see what sub-rule (7) is. It runs as follows :—

"(7) it shall not contain references to newspapers by name and shall not ask whether statements in the press or of private individuals or unofficial bodies are accurate."

Unless the mover of the Draft Rules satisfies me as to the harm done by bringing in the name of a newspaper, I must press my amendment. On turning to the new rules on the subject in the House of Commons Procedure and Standing Orders I find that there is no express provision of the sort made in these Standing Orders. Secondly our interim rules made by His Excellency the Governor have not got any provision of that sort and we have been faring very well under those rules. If we turn to the North-West Frontier Province we find that there is no express provision for that and so is the case with regard to Bombay rules. I personally think that it is an unnecessary restriction on the freedom of members to put questions. It may sometimes be necessary to bring in the name of a newspaper to which exclusive interviews are granted and which publishes these exclusive interviews. Unless I am satisfied by the mover of the Draft Rules that bringing in the name of a newspaper will break any bones, I would say that this rule is unnecessary. It is superfluous and there should be no clear provision in the rules for that purpose.

It is stated in May's Parliamentary Practice at pages 242-243 that members may draw the attention of the Government to certain things published in newspapers but there is no bar to name the newspapers even in that reference in May's Parliamentary Practice. With these few words I beg to move my amendment.

**Mr. Speaker :** Rule under consideration, amendment moved—

That sub-rule (7) be deleted.

**Sardar Dasaundha Singh** (Deputy Speaker) : With your permission I bring it to the notice of my honourable friend that at page 129 of Campion's Introduction to the Procedure of the House of Commons, sub-head 19 says as follows :—

(19) asking whether statements in the press, or of private individuals, or unofficial bodies are accurate.

Such questions are not allowed. Then again I would draw his attention to Campion's Introduction to the Procedure of the House of Commons, page 128, sub-head (2) :—

(2) The facts on which a question is based may be set out briefly, provided the member makes himself responsible for their accuracy, but extracts from newspapers, quotations from speeches, etc., are not admissible.

This exactly covers the whole ground. So far as the first part is concerned, that is, "it shall not contain reference to newspapers by name". It is based

[**E. Dasaundha Singh.**]

on the ground of accuracy that is demanded from the honourable member who puts the question. The statement contained in the question should be accurate. If a newspaper is named, then the responsibility is thrown on to the newspaper. That is something that is not required. So far as the other part is concerned, that is based on the ground of responsibility. I hope this will satisfy the honourable member. (*Voices : No.*)

**Sardar Hari Singh :** Why should not the name of the newspaper be mentioned ? Please clear that point.

**Sardar Dasaundha Singh :** Because the honourable member who puts the question should himself be responsible for the accuracy of the statement.

**Sardar Hari Singh :** But when a member puts a question whether such a statement in a paper has been brought to the notice of the minister.

**Sardar Dasaundha Singh :** May be, but that is throwing burden on the newspaper.

**Lala Bhim Sen Sachar** (North-Western Towns, General, Urban) : Sir, I want to assure the honourable mover of this rule that we are not out to oppose this rule merely for the sake of opposition. We have been keen and eager to try to know the real reason that can lie behind the framing of such a rule. We have tried our best to arrive at the real reason of the rule, but we have to admit that on our side we have not been able to know the possible objection that there could be to this present rule being omitted. Now the reason why we object to this provision is that we are passing through a state of transition and have still much to achieve. We cannot say that there are not respectable non-official bodies or that there are not important newspapers references to which cannot be made with advantage. We have experience of such non-official bodies which contain amongst them very honourable and respected members—those non-official bodies go to the extent of making very thorough enquiries into certain matters and those bodies—though non-official—take upon themselves the responsibility for these statements. They even go to the extent of inviting prosecutions, if their findings are proved to be incorrect.

My submission, therefore, is that there is not one clause which can justify its retention in sub-rule (7). We were anxious to know from the Honourable Deputy Speaker the reasons which could have prompted the inclusion of such a rule. If I may not be considered to be very uncharitable I shall be forced to draw the inference, much against my wishes though, that the present government majority want to gag us or want to create difficulties for us. All the non-official help that we can have we must utilise. For instance, in spite of the opinion of my honourable friend Mr. Gurmani, about a Congress Committee and its findings, we would attach far greater importance to an impartial and properly conducted enquiry by a Congress Committee than perhaps to an official enquiry under certain circumstances (*A voice : New to administration.*) My honourable friend has been good enough to say that we are new to administration. As my honourable friend Mr. Gupta had observed in this House this morning we are certainly new to administration and most certainly to the administration of the type to which my honourable friend Mr. Gurmani is wedded. If

his experience could really be worth anything we would not have hesitated to appropriate it and make as best use of it as possible. My honourable friend, Mr. Gurmani, is brought up in an atmosphere which does not know what it is to consider non-official public opinion. All these 17 years of which he feels very proud he has been breathing in an atmosphere which is nothing but negation of the recognition of public opinion. We are open to conviction. If any honourable members on the opposite benches can convince us that there are valid reasons for retaining this rule I am sure we would be most willing to join them and express an opinion similar to the one which they have expressed.

**Dr. Gopi Chand Bhargava** (Lahore City, General, Urban): Mr. Speaker, I can very well realise the difficulty of the government in verifying the statements of private individuals or non-official institutions concerning matters which do not relate to the government. Supposing I were to issue a statement to the press that such and such person died. How can government verify whether it is a fact or whether it is not a fact. That I can very well realise. But I do not know, why we are going to be debarred from reference to statements of non-official bodies or individuals which relate to action of government because we only want to know whether what is stated relating to certain act of the government is correct or not. That is what I cannot understand. Then, Sir, it was suggested by you that the words "by name" be removed. Sir, if we do so, we make the rule rather more strict. The rule is, "it shall not contain reference to newspaper by name." Therefore it means that we have got the right of making reference to newspapers but we can't put down the name of the newspaper. If you remove the words 'by name' we are debarred from putting any question about any statement in any newspaper. Therefore it makes the rule more strict rather than relax it in our favour. I think, Sir, that we ought to be given the right of knowing whether a certain statement in certain newspapers made by newspaper editors, or by certain individuals or by any non-official body relating to any action of the government is correct or not, and that is why we want this rule should be deleted or if I may suggest an amendment and if it will be acceptable to the government, I would add the following words "except those which relate to any action of the government."

**Mir Maqbool Mahmood** (Parliamentary Secretary): Sir, I am afraid there appears to be some misunderstanding with regard to the purpose of this sub-rule. My honourable friend who opposed it will find—I am dealing with the objection taken by the honourable the Leader of the Opposition—that the words are 'shall not ask whether statements in the press or of private individuals or unofficial bodies are accurate.' This is taken from the Parliamentary practice, and it does not debar the honourable members inviting the attention of the government to statements in the press or of non-official bodies or private individuals. What they cannot ask government under this clause is whether the statements are correct or not. This is so because the evidence or material on the basis of which the local body or press may have come to a decision is not before the government, and it is obviously not fair to ask government whether that statement is correct or not. Similarly if on the statement of any individual or of any private body, government is asked to take action or initiate enquiry,

[Mir Maqbool Mahmood.]

then under the garb of a question action is suggested which is beyond the orbit of questions. The same argument applies to the press. I repeat, Sir, that this sub-rule does not preclude honourable members from inviting attention of the government to such statements. Moreover, my honourable friend the Leader of the Opposition is no doubt aware, that under the Parliamentary practice it is open to any member to ask the Premier whether the statement made by a minister represents the policy of the government. That is permissible and this rule would not even debar that. But you cannot in all fairness ask government to initiate enquiry over every statement made by a non-official person or by a private body in order to ascertain whether it is accurate or not.

Now, Sir, with regard to the second aspect of the sub-rule references to newspapers by name have been debarred. I will submit with regard to this point that I am in entire agreement with the honourable the Leader of the Opposition that if the words "by name" are deleted then that rule is made more restricted. The Rules Committee deleted reference to newspapers by name for two reasons. Firstly they did not want unnecessarily papers to be dragged in the controversies of this House and it was considered desirable that we should keep the sacred celebrities of the press outside the controversies on the floor of this House. The second reason is that it is open to a member to ascertain the position regarding any matter and ask questions on his own responsibility or invite the attention of the government without definitely naming the particular newspaper. This should save the editors of various papers and those interested in the papers from worrying the members to ask questions with a view to publicity. I do not suggest that it is likely to happen. There are in this province responsible newspapers to whom these words do not apply. But this cannot be said with regard to all of them. That being the position it was thought desirable to keep the great celebrities of the press outside the controversy over questions so far as this House is concerned.

**Pandit Muni Lal Kalia :** The clause as proposed consists of two parts. It reads 'It shall not contain references to newspapers by name and shall not ask whether statements in the press or of private individuals or unofficial bodies are accurate.' My submission is that so far as the second part of the clause is concerned it has got the support of parliamentary practice. So far as the first portion is concerned it is an innovation and it has got no parallel in any parliamentary practice. The authorities quoted by my honourable friend, the mover of this clause, the honourable Deputy Speaker, have failed to show what relevancy there is in the authorities quoted by him.

As a matter of fact it is not only this clause which consists of two contradictory parts but it is one which infringes the rights and the privileges of this House. It has been the established practice of this House—I should say a convention—that questions are daily asked in the form whether the attention of Government has been drawn to such and such a statement in such and such a paper and then other parts of the question proceed on it. It has been admitted by the honourable Mir Maqbool Mahmood that this

portion will not apply so far as such questions are concerned. But assurances of this kind cannot take the position as given in the rules themselves. Verbal assurances will not replace the part as it exists. The moment the name of any paper is mentioned, be it the *Tribune*, or the *Partap* or the *Milap*, the question will be disallowed. I fail to understand what apprehension there lies in the mind of the Ministry that the name of the paper should not be mentioned. As a matter of fact there are so many other points relating to the permissibility of questions in rule 20 that this position cannot be avoided. May I know whether this position can be avoided if we have clause (1) of rule 20 which reads :

“(1) it must relate to the public affairs with which the Minister to whom it is addressed is officially connected or to a matter of administration for which he is officially responsible.”

Even to-day Mir Maqbool Mahmood made a statement when a question was put by Sardar Hari Singh with regard to the concrete programme of the Unionist Ministry, that the concrete programme of the Unionist Ministry can be gathered from statements appearing in the press from time to time and if the Unionist Ministry depends upon the assistance or upon references to the papers, I fail to understand how this rule is now being made with a view to debarring the press from naming a newspaper. So that, in view of the fact that it is against the practice of this House, it is not supported by any parliamentary practice, I submit that the retention of this clause in the rules is most harmful, unparliamentary and is an infringement of the rights of this House. With these words I support the amendment of Sardar Hari Singh.

**Khawaja Ghulam Hussain** (Multan Division Towns, Muhammadan, Urban): It is conceded by the honourable Mir Maqbool Mahmood that it is permissible for members to invite the attention of the Government to newspapers. Now, Mr. Speaker, if it is permissible to invite the attention of the Government to newspapers, I fail to understand as to why it is maintained that reference to newspapers should not be permitted. The reference becomes unavoidable the moment it is conceded that attention can be invited to statements appearing in newspapers. Supposing in a certain newspaper misrepresentations regarding the policy of the Government are contained or certain criticisms with regard to the administrative views of the Government are contained, I think it is only fair that members should be permitted to question the Government with regard to the accuracy or inaccuracy of the statement appearing in the paper. I may straightaway point out that I do not want to make any secret of my opinion that some sort of restrictions are absolutely essential upon the interpellations which are permitted under the rules. Most of the questions, if I am permitted to take a leaf from past history, are positively amusing. There are a majority of other questions which are extremely commonplace, and the members who ask information with regard to these questions can certainly obtain that information from other quarters. If we remember that the right of interpellation is a costly luxury and it costs at least Rs. 30 per question to the exchequer, I think we shall be cautious in putting questions, but we shall also remember that only those questions which are very important and which relate to some matters of policy or which otherwise are very important should be put.

**Lala Duni Chand** : Questions on matters of policy are not allowed.

**Khawaja Ghulam Hussain :** Questions with regard to the policy of Government or questions which permit the members to invite the attention of Government to certain matters of policy, as I understand it, are allowed. What I mean is this, that in this particular clause notwithstanding what I have submitted with regard to the general policy of questions with regard to this amendment, I wish to suggest that there is no meaning in opposing this amendment, and maintain that references to newspapers are essential and as a matter of fact unavoidable according to the contention even of the honourable Mir Maqbool Mahmood and I would therefore suggest that no such ban which does not permit members to refer to newspapers should be permitted to be retained in the draft rules.

**Lala Duni Chand** (Ambala and Simla, General, Rural) : I want to add only one word and that is this, that very often very important actions of the Ministers are reported in the newspapers and sometimes very important statements are issued by the Ministers to the press. Their object is to carry on some sort of propaganda in their favour. I therefore submit that it is necessary to permit questions relating to what appears officially either on behalf of the Ministers or other people in the press.

**Mr. Speaker :** The question is—

That sub-rule (7) be omitted.

*The motion was lost.*

**Lala Duni Chand :** I move :

That in sub-rule (9), lines 3—5, the words beginning with 'nor' and ending with 'motion' be deleted.

In order to make the object of my amendment clear, I wish to read out sub-rule (9) :

It must not refer to the character or conduct of any person except in his official or public capacity.

This is the first part of sub-rule (9) and so far it is all right. The protection that is necessary is afforded by this part. But it is quite unnecessary to afford further protection in the form of the 2nd part of the sub-rule wherein it is stated :

Nor the character or conduct of any person which can be challenged only on a substantive motion.

We may not be allowed to put any kind of questions regarding the private or personal character of any person ; but so far as the official or public capacity is concerned, I do not see any reason why we should not be allowed to put questions. Whether the official conduct or the ministerial conduct of any person can be challenged by a substantive motion or not, there is no reason why questions should not be allowed in that regard. The object seems to preclude the possibility of any questions being put regarding the official conduct of Ministers and other high officials. I have already submitted that in the form of so many restrictions, so many halters are put round our necks. Mine is a fair request and in all fairness the Treasury Benches should accept this amendment.

**Mr. Speaker :** Rule under consideration, amendment moved is :

That in sub-rule (9), lines 3—5, the words beginning with 'nor' and ending with 'motion' be deleted.

**Sardar Dasaundha Singh** (Deputy Speaker): Sir, most of these restrictions that have been placed on the privilege of putting questions are taken bodily from *Campion* and *May*. You will see that on page 130 of *Campion* this very restriction is imposed upon the right of putting questions. Similarly you will find at page 248 of *May* the same restriction is imposed upon questions. The privilege of putting questions is often abused and these restrictions are the result of the vast experience of the Mother of Parliaments. Restrictions are based on rulings of Speakers of Parliament. These restrictions have been found to be necessary in the interest of the work that is to be transacted. Therefore I oppose the amendment.

**Rai Bahadur Mr. Mukand Lal Puri**: I should like the Deputy Speaker to take the House into confidence and tell the House what is stated in those authorities to which he has referred.

**Deputy Speaker**: It is given both in *May* and in *Campion* :

No question can be asked which reflects on the character or conduct of those persons whose conduct as stated on page 271 can only be dealt with on a substantive motion.

**Rai Bahadur Mr. Mukand Lal Puri**: Sir, this is a new rule limiting the right of members to put questions which does not find a place in the old rules. For the first time we find that this rule is being enacted which restricts a very important right of members of this Assembly. I may frankly admit that I have not quite understood the purport of this rule. It is not what questions would be excluded under this rule. Does this provision, for instance, exclude questions which would challenge the public or official conduct of a Minister or other high officer of Government? If that is going to be the effect of this sub-clause, it is I wish to point out respectfully to the House, a very serious restriction on the right of interpellation of members of this House. Therefore this is a clause which should be carefully scrutinized before the House commits itself to it. References to *May's* Parliamentary Practice or *Campion* which are quoted as laying down some such thing are not quite clear and intelligible nor can they be bodily imparted into our rules, regardless of other relevant provisions of the House of Commons.

**Mr. Speaker**: Order, order. It is 3 o'clock now, so the House will proceed to discuss the adjournment motion.

3 P.M.

It has been suggested that instead of taking at 3 P. M. the adjournment motion fixed for to-morrow, we may take it at 2-30.

*The Assembly agreed to the suggestion.*

#### ADJOURNMENT MOTION.

*Re* RELIEF TO PEASANTS OF CERTAIN VILLAGES IN TAHSIL TARN  
TARAN.

**Sardar Sohan Singh Josh** (Amritsar North, Sikh, Rural) (*Punjabi*)

I beg to move—

That the House do now adjourn.

Sir, about two months ago there was a terrible hailstorm in my district. The poor villagers of the affected area made representations to the higher

[Sardar Sohan Singh Josh.]

authorities and informed the Deputy Commissioner of the district about the great damage done to their crops. They also sent copies of those representations to me. In order to ascertain the actual loss sustained by the poor peasants I made a tour of the whole ilaqa. On the 22nd of October 1937 I visited Muse Khurd and saw with my own eyes the devastating effects of the severe hailstorm. At Muse Khurd I found that one half of the total area under cultivation had been completely devastated by the hailstorm. From there I made for Chak Sikandar where I saw to my surprise that the crops of the whole area had been totally destroyed. When I reached Padhari Kalan I found that it had not suffered loss as compared with Padhari Khurd, the condition of which was pitiable. The inhabitants of Padhari Khurd had lost everything. The villages Shaikh and Nurpur had also suffered badly.

I was told that the hailstones which had fallen were as big as apples and had completely covered the smiling fields of the said villages with a mantle of snow. During my tour I saw a painful sight. The ears of the maize were bent down under the heavy shower of the hailstones. The leaves were pierced through and through and resembled a sieve. The stems were broken and the grains from the paddy ears were scattered on the ground having fallen in heaps in fields which were full of rain water and so nothing could be saved. There might be a few maize fields left standing which ripen late and so they escaped by an accident. But on the whole the damage done by the hailstones was tremendous.

At the moment when the storm raged toria was hardly 3 or 4 inches high but the heavy pressure of the hailstones again buried the plants into mother earth.

I took great pains in collecting the figures in order to ascertain the extent of the damage done by the hailstorm. The area of Chak Sikandar is 326 acres. The total area under cultivation was 206 acres, the details of which are as follows:—Cotton was sown over 171 acres, paddy was planted in 12 acres and maize in 23 acres. I admit that the patwaris have allowed *kharaba* but the *parchis* which have been served on the villagers do not make mention of any compensation having been allowed to the poor cultivators.

**Minister for Revenue :** Which village do you speak of ?

**Sardar Sohan Singh Josh :** It is Chak Sikandar. Now let me quote figures relating to village Chhichhrianwali. Its total area is 1,170 acres, and the area under cultivation amounts to 466 acres. Out of this cultivated area 225 acres are under cotton, 2 acres under maize and 35 acres under rice. Next come the villages of Padhari Khurd and Padhari Kalan. Their total area is 1,182 acres. Here cotton is grown.

**Minister for Revenue :** The area under cotton crop might not have been given in your notes.

**Sardar Sohan Singh Josh :** Everything is there in my notes, and if they fail me in details I am sure you will fill up the blanks. Fourteen acres are under maize, and 75 acres under cotton. The land revenue

imposed on the villagers for kharif crops alone amounted to Rs. 1,850. It is clear therefore that the revenue imposed is highly out of proportion to the yield of the village.

The woeful tale of miseries of the poverty-stricken peasants is too well-known to require repetition. I will, therefore, confine my remarks only to the zamindars of the illaqa that has been practically devastated by the recent hailstorm. To give only one instance of the utter ruin to which the agriculturists in question have been reduced, I may be permitted to describe the condition of a peasant whom I happened to meet the other day. On my enquiring as to how he managed to pay his dues to Government he told me that last year he had not got even a single pie and consequently he borrowed money to pay the land revenue from the Co-operative Union. This year it would be impossible for him to borrow any money for that purpose. He was therefore at a loss to know what he should do. Sir, this is by no means the solitary example of the deplorable plight of the agriculturist. The same is the condition of all the agriculturists whom you will find groaning under the heavy burden of taxation. But the condition of the areas affected by hailstorms has gone from bad to worse. In view of the miseries of the zamindars one is sadly reminded of the repeated assurance of sympathy which the Unionists have been giving from time to time. They claim to have formed a Kisan or Zimindara Government in the country, but in reality they render absolutely no help to the peasants. What is worse is that they show undue favouritism to the residents of those ilaqas which have returned the Unionists inasmuch as they grant more remissions in the said ilaqas than they grant in other areas.

**Sayed Afzaal Ali Hasnie :** Will the honourable member name the constituencies in which this favouritism has been shown? As a matter of fact, Unionists represent almost all the constituencies.

**Sardar Sohan Singh Josh :** Sir, I can mention the names of these constituencies. In the constituencies of Sardar Partap Singh and mine less remissions were granted as compared with the amounts which have been granted in other areas. For example in Sardar Wasakha Singh's Constituency.

*(At this stage Mr. Speaker left the Chair and it was occupied by the Deputy Speaker.)*

Sir, other honourable members will give more instances of this kind. As I have to explain certain other important matters, I defer this particular matter till I reach the end of my speech.

It is high time that people realised the hollowness of the assurances which the Unionists are accustomed to repeat on the floor of this House. But their empty rhetorics can no longer deceive the public. They have learned by now to distinguish between a friend and a foe. We need not try to expose them. The Unionists have proved by their actions that they do not mean to help the agriculturists. With these words I beg to move my adjournment motion.

**Deputy Speaker :** Motion moved is—

That the House do now adjourn.

*(Deputy Speaker reading out the name of a member from a slip of a paper called upon that member to speak)*

**Rai Bahadur Mr. Mukand Lal Puri :** Sir, do you call upon a member to speak under any instruction given to you or when a member stands up in his seat and catches your eye ?

**Deputy Speaker :** Names have been handed over to me and I am calling honourable members in accordance with the names that are with me.

**Rai Bahadur Mr. Mukand Lal Puri :** Is that the practice that you propose to follow in future that some communication be made to you in writing or will you continue the practice followed so far of asking a member who catches your eye from among the members who rise in their seats to speak ?

**Deputy Speaker :** Honourable members occupying the back benches have complained that they are not given any opportunity to speak. It is to satisfy them that I have called upon Raja Muhammad Akram Khan to speak.

**Lala Bhim Sen Sachar :** Is it a list from the Government side ?

**Lala Duni Chand :** The general practice is that only those members who stand up are allowed to speak. It has been sanctioned and followed from times immemorial ; it should not be departed from and another practice introduced. Of course, in the case of those who send written requests you may accede to their requests and allow them to speak.

**Deputy Speaker :** It lies within the discretion of the Chair to allow any honourable member to speak.

**Mr. S. P. Singha :** Is the list that you are considering sent to you by some one else or the back-benchers concerned ?

**Deputy Speaker :** This list has been supplied to me by the Honourable the Leader of the House and there is another supplied by the Leader of the Opposition.

**Mr. S. P. Singha :** Have the honourable members who are representing various other constituencies any right to catch the eye of the Speaker or only those who come through the leaders of their parties ?

**Deputy Speaker :** This complaint has been brought to the notice of the Chair more than once and it is in view of that that at times the ordinary practice is departed from to satisfy those honourable members who happen to occupy back benches.

**Rai Bahadur Mr. Mukand Lal Puri :** Sir, are you justified in calling upon people who are not present in the House to speak ?

(Voices : The honourable member is present.)

**Lala Bhim Sen Sachar :** Does the list supplied dispense with the necessity for members to rise in their places ?

**Deputy Speaker :** Members must rise in their places.

**Minister for Revenue** (The Honourable Dr. Sir Sundar Singh Majithia) : Sir, I must congratulate my honourable friend Sardar Sohan Singh Josh for the very great activities he has shown in going from village to village like a hurricane. But I am very sorry that he has not given me the figures that he is keeping up his sleeves, the figures that he has promised to give later on. I am content with what he has given. It will be in the fitness of things if I intervene at this stage and give certain information

to the House which will give help in the solution of this question. The allegations that have been made by my honourable friend are not correct. We have had a full enquiry, a full and complete enquiry made into the case soon after the occurrence. In October last there was a visitation of hailstorm in the area. Instructions were at once issued to the commissioners of the divisions and to the deputy commissioners to make full enquiries into the condition of the crops that had suffered from hailstorm. I may inform the House that the same instructions were issued as were issued on the occasion of that big hailstorm that took place soon after we took office. My friend has given certain information as to the area damaged and as to the area that was sown and the area that was matured. I think his motion refers to 6 or 7 villages in the Tarn Taran tahsil. He has not mentioned the rest, the poor people of the rest of the tahsil have not secured his sympathy. From the figures that I have got it will be seen that the total area sown in Chak Sikandar was 404 acres and the total area matured was 326 acres. As regards Chhichhrianwali, the total area sown was 466 acres out of which 481 acres were matured. As for Jhamke, 484 acres were sown out of which 454 acres were matured. In Muse 324 acres were sown and 289 acres were matured. In Padhari 1,172 acres were sown and 1,055 were matured. In Serai Diwana 175 acres were sown and 118 acres were matured. Now the percentage of kharaba due to hailstorm in the case of Chak Sikandar is 16 per cent., in the case of Chhichhrianwali 2 per cent., Jhamke 2 per cent., Muse 2 per cent., Padhari 4 per cent. and Serai Diwana 17 per cent.

I will now refer to the question of remissions. As regards the area affected by the hailstorms, my friend says that crops even went inside the ground by hailstones in that area. (*A Voice*: It was toria) I am not sure whether that statement would be believed by the members of the House that the effect of hailstorm was such that the whole crop of the area went inside the ground. (*Interruption*): Were there any holes bored in the area where the whole crop disappeared? This is the sort of inspection, a hurried inspection, a hurricane inspection which my friend has made of the area that has been affected.

**Sardar Sohan Singh Josh** (*Punjabi*): There is not an iota of untruth in my statement.

**Minister for Revenue**: Out of a total sown area of 3,025 acres of these villages, only 170 acres were damaged by the hailstorm. The remissions allowed amount to Rs. 227 out of a total land revenue amounting to Rs. 5,155.

**Sardar Sampuran Singh**: What is the percentage?

**Minister for Revenue**: You can calculate that if you so like. I am not here to do that for you. I have already given the figures. (*Voices of "Order, order" from Opposition benches*).

**Sardar Sohan Singh Josh** (*Punjabi*): May I ask for figures through you, Sir? (*Interruption*).

**Deputy Speaker**: Such interruptions are not permissible.

**Minister for Revenue**: I am in possession of the House. I am not going to give way until the Chair rises.

**Sardar Sohan Singh Josh (Punjabi):** On a point of order. I request the Honourable Minister through you to give us the figures.

**Deputy Speaker:** Such a request cannot be made on a point of order. This request has nothing to do with a point of order but so far as the information is concerned, you could have gathered that from the speech that the Honourable Minister was making.

**Minister for Revenue:** Anyway, to oblige my friends I will give the information that is much desired. I have said already that the total area sown in these villages is 3,025 acres and the total area damaged by hailstorm is 170 acres. The total land revenue of these six villages is Rs. 5,155. Out of that Rs. 227 have been remitted. Will that satisfy my friends on the other side? (*Voices:* Certainly.) The percentage of land revenue remitted to the total land revenue in Chhichhrianwali is 1·6 per cent., in Muse Khurd 9 per cent., Chak Sikandar 11·8 per cent., Padhari Khurd 4·5 per cent., Serai Diwana 17 per cent. and Jhamke 1·4 per cent. My friend has given me certain figures of the crops that have been damaged. The final report that has been received as to the actual damage done to the different crops in these villages is as follows:—

In Chak Sikandar rice crop to the extent of 12 acres was damaged. Ordinary kharaba besides this is six acres. I am giving figures of kharaba by hailstorm and special kharaba allowed in the ordinary course. In Chak Sikandar as regards bajra it is 2, as regards maize 23 and 13, as regards sugarcane 16, as regards cotton 171 and 46, as regards hemp 1 and as regards fodder 101. As regards Chhichhrianwali it is 35 and 2 in respect of rice, 15 in respect of bajra, 12 and 2 in respect of maize, 5 in respect of moth, 9 in respect of sugarcane, 225 and 6 in respect of cotton, 1 in respect of hemp, 129 in respect of fodder. In respect of Jhamke it is 17 and 7 for rice, *i.e.*, 17 is the kharaba on account of hailstorm and 7 is the ordinary kharaba; 15 and 2 in the case of bajra, 38 and 4 in the case of maize, 7 in the case of moth, 19 and 1 in the case of sugarcane, 241 and 3 in the case of cotton and 117 in the case of fodder. As regards Muse Khurd it is 21 and 2 in the case of rice, 3 in the case of bajra, 27 and 2 in the case of maize, 8 in the case of sugarcane, 156 and 17 in the case of cotton, 1 in the case of hemp and in the case of fruit it is nil. In the case of fodder it is 34 and 70. As regards Serai Diwana it is 3 and 5 in respect of rice, 5 and 5 in the case of bajra, 7 and 7 in the case of maize and 5 in the case of sugarcane. In the case of cotton it is 55 and 18 and in the case of fodder crop it is 43 and 5. I need not trouble the House at any great length as regards figures at my disposal but this will show the House with what care the matter has been gone into by the officers on the spot. As I have said already, on receiving this report the instructions that were given to the officers were thoroughly carried out and full investigation made with a view to carefully and sympathetically examine the damage that had been done to the crops of the people who had suffered by this devastation.

**Deputy Speaker:** The honourable member's time is up.

**Minister for Revenue:** With your permission I would like to give few figures of what we have done as regards the whole province. I think my speech would not be complete if I miss these figures.

As regards remission in land revenue on account of this hailstorm, Rs. 8,36,000 were remitted in land revenue, Rs. 3,23,000 in abiana. As regards suspension, Rs. 13 lakhs have been suspended. As regards taqavi Rs. 12,76,000 have been given to the people for purchasing bullock and other things. As regards import of fodder crop we have made enquiries and in places where fodder scarcity is felt, instructions have been given and the railway authorities have given the necessary concessions and fodder is being brought from different places where it is available to areas affected. With your permission I would say that in Pind Dadan Khan in the Jhelum district, Mianwali Tehsil in the Mianwali district and in Nakodar in the Jullundur district where fodder scarcity is felt, instructions have been issued. We have also asked Deputy Commissioners of Hissar, Rohtak and Gurgaon that if they feel the necessity of importing more fodder bhussa they may apply for that. This is all the information I can give to the House. As regards the point that Government has not done anything and that Government has no sympathy with the people of the province the figures quoted on the floor of the House would show what the real facts are and who are the real sympathisers of the people (*hear, hear*).

**Lala Deshbandhu Gupta :** May I enquire from the Leader of the House whether he himself was able to go to the devastated area or whether he sent one of the parliamentary secretaries to enquire into things on the spot ?

**Minister for Revenue :** When my officers go, there is no need of my doing so.

**Lala Deshbandhu Gupta :** Did the parliamentary secretary or the Minister himself go there ?

**Minister for Revenue :** I cannot add to what I have said already.

**Sardar Partab Singh** (Amritsar South, Sikh, Rural) (*Punjabi*): Sir,—

**Minister for Revenue :** Can he speak in vernacular ?

**Deputy Speaker :** That question has already been decided.

**Minister for Revenue :** Are we also authorised to speak in vernacular ?

**Deputy Speaker :** This question has already been decided by Mr. Speaker. Because the honourable member said that he could not express himself in English sufficiently well, he was allowed by Mr. Speaker to speak in vernacular.

**Sardar Partab Singh** (*Punjabi*): Sir, the Honourable Minister for Revenue has given detailed facts and figures in the course of his reply about the extent of damage done to the crops of these six villages by hailstorms and about the remission that has been given. In this connection I wish to bring one thing in particular to your notice and that is that, out of the land revenue of Rs. 5,175 only a small sum of Rs. 237 has been remitted to these six villages. In my opinion this remission is quite inadequate as compared with the damage done to the crops in this ilaqa. Besides, kharaba is given only as a relief measure. But in this case the relief given is only a paltry sum.

[S. Partab Singh.]

I submit that when hailstorm once destroys a particular crop it never matures again. It affects the crops so much that only a little life is left in them, and at the harvesting time they yield only a small produce. That has been the case here. The crops have been affected and damaged so much so that practically they have yielded nothing. But the Government has been pleased only to remit a fraction of the total loss.

Again the crops of the above-mentioned villages were so seriously damaged that at some places they were practically buried underground. But no responsible officer of the government visited the affected area even after 7, 10 or 15 days. (*An honourable member* : Question.) My honourable friends opposite are doubting the accuracy of my statement. But I state it for their information that if they want to test the correctness of my statement they can very well go to those villages and ask their inhabitants whether any responsible officer visited their ilaqa or not, I am sure they would get a reply in the negative. The Revenue Department has received written complaints from Nowshera-Panuan of Amritsar district.

Besides, just after the hailstorm the condition of the crops looks very miserable and practically the whole fields wither down on account of the terrific velocity of the hailstones. But nobody cares to visit them at that time. I submit that if the government officers cannot visit the hailstorm stricken area just after the hailstorm has taken place, they may visit it after say ten or fifteen days. But what is done now is that a patwari goes to the hailstorm stricken area at the harvesting time and judging from the yield of the crops fixes the kharaba. I submit that in no case the assessment of the kharaba should be left entirely in the hands of the patwari. Another matter which I wish to bring to your notice is that the patwari never permits full kharaba. He demands his share also. If the zamindars bribe him they get kharaba all right and if anyone is unfortunate enough not to satisfy his illegal demand he is left in the lurch. I remember that during the last hailstorm a case of a patwari was brought to the notice of the Honourable Minister for Revenue. The patwari's fault was that he expressed his desire in the words of a Punjabi saying that :—

جنا کتر پاؤ گے (وٹا مٹھا ہو گیا)

As soon as this case came to his notice, he at once suspended the said patwari. However it was only by the way.

Coming to my point, I submit that it would have been desirable that the Minister concerned visited the affected area himself and after knowing the extent of damage, full remission had been given. I again say that if the Minister was unable to go over there personally he could have deputed some parliamentary secretary of his to do the needful for him. But Sir, here the case is quite the reverse. The whole affair is left to the patwari and in fact he is the man who could grant kharaba or refuse to grant it. The zamindars are entirely left to his mercy.

I submit, Sir, that the zamindars of this ilaqa have sold a large quantity of their wheat in order to pay the land revenue. The other crops practically yielded very little or nothing. Every zamindar and in fact the honourable members opposite, who represent the zamindars know it fully

well that the zamindars live on wheat up till 'Asu' (October). After 'Asu' they live on maize. But maize has been destroyed and now practically the zamindars are facing hunger and starvation.

Again, I wish to bring another point to your notice. That is, that the remission that has been granted includes the remissions for sugarcane also. The sugarcane crop of that area has not been pressed. If it were cut and pressed it would have been known whether or not gur could be prepared. I think those honourable members who have been born in zamindar families or who have ever cultivated with their own hands know how hailstones could damage the whole crop. I want to point out that when gur was being prepared in that area it was worthwhile seeing how the zamindars of that illaqa were disappointed to see the failure of their attempts again and again. It was all "laiti" instead of gur. They absolutely failed to get gur. 'Laiti' was of no use to them. As regards the inspection of the affected area I may inform the House that not more than ten officers went to visit the affected villages and they saw the cotton crop which was almost ripe or was about to ripe. The whole of the cotton crop was lying down on the ground on account of the hailstorm. But during their visit instead of showing their sympathy with the zamindars the officers remarked that there was one plant bearing a pod on that side and another on this side. I fail to understand what they meant. Did they mean that the whole of the cotton crop should have been totally destroyed and there should have been no trace of it at all? Those men who come in contact with jats know it perfectly well that one single hailstone can damage the whole plant. I may draw the attention of the House to the damage done to the crops by hail-storm in tehsil Tarn Taran as well, and the remission sanctioned by the Government has not yet been completely given. The general practice is that when petty officers go to a village, they after inspecting the damaged crop say, "Don't cut your maize crop. Let high officers come and see it themselves so that they may be able to estimate Kharaba." How could these poor peasants keep waiting for one or one and a half months when they had not got anything to eat at night except perhaps the rice which remained unaffected by hailstorm. That expectation is too much.

As regards the relief, i.e., the remission that has been granted by the Government, I may say for your information that when numerous crops and very large tracts of land have been affected by hailstorm, how awkward does it look that where a 'Nehri kharaba' has been granted, 'mal kharaba' has not been granted and *vice versa*! This goes to show that officers of Government have not made enquiries very carefully, and I fail to understand why these officials are so parsimonious in affording relief to the peasant folk. The officers have not made an accurate and correct estimate of the loss and whatever has been done so far is not justified and has been done without any feeling of responsibility. I may point out to you one thing more and that is that whenever we happened to meet patwaris of that illaqa and requested them to help those poor zamindars whose crops have been damaged by hailstorm, they replied that if they would give more kharaba, they were likely to be transferred from that illaqa and they further remarked that their promotion depended upon the fact that they should always try to show the maximum yield of crops in that illaqa.

[S. Partab Singh.]

Sardar Sohan Singh Josh has shown his intelligence in inviting the attention of the House to this important matter of public concern. Those persons who possess jagirs and who are big landlords may not care a bit for the loss or damage done by hailstorm, but what about the small landholders. I think the afflicted persons would actually avail of this opportunity and would utilise this chance to express their injured feelings on the floor of this House. This is our common cause. We can put up a united front to the Government. We can vindicate our position before this House. I believe the honourable Chaudhri Sir Chhotu Ram who unfortunately is not present in the House at this moment would side with us in this matter at least. I am sure he will be pleased to go with us hand in hand to the lobby at the time of division.

I want to say a few more words before I resume my seat. As regards toria I may submit that toria crop which was almost ripe has been destroyed like those of maize, cotton and sugarcane. This crop was also lying down on the ground, but on getting water it resumed its original position. We should not however ignore the fact that toria crop was levelled to the ground on account of hailstorm. Although some people tried to resume it by watering it by means of wells, yet there were marks of big hailstones to be found on the ground and on the plants of toria as well. I submit that these marks of hailstone corroborate my statement. Under these conditions, may I request the Government that the remission granted by it to the inhabitants of the affected area is not sufficient to meet their requirements and therefore more remissions should be granted? As crops of the zamindars have generally suffered either by some crop disease or hailstorm, my submission to the Honourable Minister would be that it would be very unjust on the part of the Government if it will not wholeheartedly sympathise with us and will not treat us properly.

The Honourable Sir Sundar Singh Majithia has often told the zamindars that they are their servants. I would now point out to him that this is the time to prove that he means what he says. He should not miss this opportunity at all. We would be highly pleased if he along with other honourable Ministers and Members of the Unionist Party would vote with us.

**Raja Ghazanfar Ali Khan** (Parliamentary Secretary): In a way I am much obliged to my friend for having brought this motion of adjournment, although as the honourable members will be pleased to observe the subject matter of the adjournment motion, as usual, is a very small and insignificant one. It relates to about seven villages in one of the tahsils in the Amritsar district where the total damage by the hailstorm has been only 5 per cent. of the area cultivated, and as the Honourable Revenue Minister pointed out the remissions which have been given for the damage are also in the neighbourhood of 5 per cent. So the real proposition, the real subject matter of this adjournment motion upon which the honourable members will be presently called upon to give a vote is a very small one. But it has given a good opportunity for the Government on this occasion when there has been some amount of damage caused in various districts

of the Punjab, somewhere by hailstorms, at other places by scarcity of rain, to assure the honourable members what they have been doing in the matter.

As has been pointed out by the Revenue Minister, the damage in the seven villages has been very small indeed and the authorities, let me say it frankly, the authorities for judging the damage are the settlement officers and their staff who went there and saw the damage for themselves. I am sure even members of the Opposition will agree with me that it would be impossible for any Government Member or any Minister or even for the matter of that any Parliamentary Secretary to run down to every village in the whole of the province wherever a certain damage has been caused either by hailstorms or by floods or by some action of nature. Therefore every Government, which would call themselves a government, would have to depend upon their official agencies, although they would take good care that the reports which the officials submit are accurate, true and sympathetic so far as the cause of the agriculturists is concerned.

Coming to this particular question so far as these seven villages are concerned, let the honourable members please note that in Chhichhrianwali the total area under cultivation was 466 acres and the area damaged was 5 per cent. and so the remissions were 5 per cent. Let me briefly state that in the villages if you take them in the same order as they are stated in the adjournment motion, viz., Muse Khurd, Chak Sikandar, Padhari Khurd, Serai Diwana, Shaikh and Jhamke, I will give you the figures of the damage caused as well as the remission granted. The damage caused is 2 per cent., 2 per cent., 16 per cent., 4 per cent., 17 per cent. and 2 per cent. The remissions granted are 1·6 per cent., 9 per cent., 11·6 per cent., 4·5 per cent., 17 per cent., and 1·4 per cent. Thus honourable members will be pleased to observe that while the damage has been between the figures of 10 per cent. and 16 per cent., the remissions have been between 2 per cent. and 17 per cent.

This is so far as the subject matter of this resolution is concerned. As regards the general observations made by my honourable friend, the mover of the motion, he reminded us that this is a zamindar Government, this is a Unionist Government and their first concern ought to be to look to the welfare of the zamindar public. I can assure him that the Government, at least so far as this aspect of the administration is concerned, are not leaving any stone unturned in seeing that the grievances of the zamindars are removed. These figures which I have just now quoted before the honourable members were not collected after the notice of this adjournment motion was received. If they were collected when we had received the adjournment motion, some people who are by nature suspicious might have thought that these figures could not be accepted as true. But Government had collected these figures a month ago and I have with me the figures of damage, remissions, taqavi loans and suspensions not only relating to this particular area but to the whole of the province, and I would welcome any honourable member to ask me any question about any district in the province and I will tell him straightaway how much damage has been caused by hailstorm, how much by failure of rains in the province and what steps Government have taken.

[Raja Ghazanfar Ali Khan.]

I am sorry, the time at my disposal is too short to permit me to read these various — forty-six — letters I have got on the subject. But for the information of the honourable members I would briefly state that the total amount of taqavi loans which have been advanced by the Government comes to Rs. 12,76,086. An amount of 13 lakhs to be granted as taqavi is not by any means a very small amount.

(An honourable member : What about remissions?) Similarly remissions both in abiana and land revenue are in the neighbourhood of seven lakhs. The abiana remissions amount to Rs. 3,77,000 and the revenue remissions to 3 lakhs. Now, so far as the suspensions are concerned, the suspensions granted by the Government amount to 13 lakhs. These will give you roughly a total of about 32 or 33 lakhs. Now I would really ask honourable members whether the relief which the Government have granted in this respect is not reasonable, if not liberal. I would appeal to my friend, the mover of the motion in particular and the members of the Opposition in general, that they should not be carried away by sentiment. Let them not make this an occasion for propaganda in the press but let them see, after these figures have been given — and these are the figures upon which you shall have to rely unless the Opposition have deputed somebody who is an expert in revenue matters to go and make a study on the spot — if after they have studied these figures and statements from us, whether Government have not already done what is possible, and if the mover would withdraw his motion I may assure you that they will be giving a proof that they are genuine and sincere so far as the welfare of the zamindar is concerned. Otherwise I am afraid the conclusion which any reasonable man would draw would be that the Opposition are determined to try to make propaganda in the press even when the Government is very reasonable.

**Sardar Lal Singh :** May I ask Raja Ghazanfar Ali Khan, whether the figures of damage which he has quoted were actually written down by the local patwari and after his writing down whether they were verified by any superior officer.

**Minister for Revenue :** They have been fully verified by the officers.

**Sardar Lal Singh :** I am asking Raja Ghazanfar Ali Khan.

**Minister for Revenue :** It is my subject.

**Sardar Lal Singh :** May I draw your attention, Mr. Deputy Speaker, to the continued and persistent discourteous attitude of the Honourable Minister for Revenue.

**Raja Ghazanfar Ali Khan :** I can assure the honourable member who asked the question that the figures were verified by responsible officers. They are reported by the patwaris; but in such cases where there is a question of granting remissions the matter is not entirely left to the mercy of the patwaris. The places are visited by responsible officers.

**Sardar Lal Singh :** Am I to understand then that the figures as recorded by the patwaris stand up to now as correct and were not subsequently changed by other officers?

**Raja Ghazanfar Ali Khan :** If a letter is written by the Government to the deputy commissioners asking them to supply figures of damages and remissions granted in the different districts, I am sure that very few deputy commissioners would mince matters. They have no personal interest. On the other hand I can assure you that the main concern of every deputy commissioner is to see the people in his district, particularly the zamindars, content as far as possible and there is no agitation in his district.

I would like to make one remark with regard to the rather extraordinary opinion expressed by Sardar Sohan Singh Josh and supported by some other members, that is, that during the last remissions, the remissions granted to the constituencies represented by the Unionist party were more liberal and more generous than the remissions granted elsewhere. All I would say is that if this story is true, then the natural conclusion would be that the Government were very liberal in the distribution of remissions throughout the province, because there are very few zamindar constituencies in the province which are not represented by the Unionist party and if all the zamindar constituencies except perhaps three or four in the whole of the province, in the words of the Opposition themselves, have got liberal remissions, that goes to the credit of the Government. With these few words I strongly oppose this adjournment motion and would earnestly appeal to my honourable friend not to press the motion but to withdraw it.

**Lala Deshbandhu Gupta :** Did the honourable member, Raja Ghazanfar Ali Khan, or the Leader of the House find, in the process of verification, any figures given by the patwaris inaccurate ?

**Raja Ghazanfar Ali Khan :** The figures supplied by patwaris are not verified by the Revenue Minister. There is a patwari, a girdawar, a tashildar, a revenue assistant, a collector, then there is the commissioner to check these figures. They then come to the Revenue Minister.

**Lala Deshabdnu Gupta :** Did the responsible officers who verified these figures find them incorrect in any respect ?

**Raja Ghazanfar Ali Khan :** I am afraid I cannot give him this information, except that these figures were verified by the officers concerned and were found to be correct. Therefore the figures which we have given are correct.

**Chaudhri Kartar Singh** (Hoshiarpur West, General, Rural) (Urdu) :  
Sir, while my honourable friends Sardar Partab Singh and Sardar Sohan Singh Josh were making their speeches, voices of " Question " were being raised by the ministerial party. Besides, Raja Ghazanfar Ali Khan was feeling very proud when he stated that remissions amounting to Rs. 30,00,000 were granted by the Government. In reply to that, I would submit that crops were heavily damaged in Garhshankar Tehsil, Hoshiarpur district, by hailstorms but in spite of that not a single pie was remitted to the poor zamindars of that ilaqa, and when Sardar Harjab Singh saw the Deputy Commissioner requesting him to personally witness the havoc wrought by hailstorms, he was told that necessary instructions had already been issued to the tahsildar concerned. But on the other hand when Rai Sahib Hari

[Ch. Kartar Singh.]

Chand, a member of the Unionists, approached the said Deputy Commissioner with a similar request, he forthwith accompanied him to the affected area and in consequence granted a remission amounting to Rs. 500. Later on when I narrated the woeful tale of the 12 villages to the Premier and urged upon him the necessity of granting remissions to them, he told me in clear terms that government had already instructed all the deputy commissioners telegraphically to grant full remissions to the zamindars concerned, but believe me, Sir, that when I saw the Deputy Commissioner, Hoshiarpur, in this connection, he told me, to my utter disappointment, that no such telegraphic message was received by him. In view of these hard facts, I am constrained to remark that the present government is working on party lines inasmuch as it grants remissions to those villages only where the followers of the Unionists are in a majority. A little while ago, Raja Ghazanfar Ali Khan, the Parliamentary Secretary, was boasting of government having granted a remission of Rs. 30,00,000. But I would draw the attention of the House to the painful fact that no such remission was granted in the districts of Hoshiarpur, Ferozepore and Amritsar. Obviously justice has not been done to them. It is true that we did not approach the government for the grant of remission. Nevertheless it was the duty of the government to treat all alike. As a matter of fact, this goes to show that the government is not realising its responsibility. Is it, as it claims to be, a Kisan Government? If Sir Sundar Singh Majithia had any sympathy with poor kisans, he would have most certainly granted remissions in his district of Amritsar where people have been hit hard by the recent hailstorm. It is funny indeed that telegraphic instructions for granting remissions were sent to a remote place like Multan while the district of Amritsar, which is close by, has been totally ignored so far as the question of remissions was concerned and what to say of remissions, no responsible officer of the government even cared to inspect the affected area in this district. It appears that the Parliamentary Secretaries have no time to look to these things, whereas they have ample time to sit in the Secretariat and draw fat salaries every month. The government assert that their reports were prepared by gazetted officers while in fact they were prepared by patwaris. Let me take this opportunity and assert that as a matter of fact, even to-day the same system of government obtains which once existed in the time of Sir Donald Boyd and Sir Michael O'Dwyer. The present state of affairs calls for a radical change in the administrative system of the province. I may submit that the present system of administration requires complete overhauling.

**Deputy Speaker :** I would request the honourable member to confine his remarks to the motion before the House.

**Chaudhri Kartar Singh:** Raja Ghazanfar Ali Khan, the Parliamentary Secretary, asserted that the official report was perfectly correct. But when Sardar Sohan Singh Josh and Sardar Partab Singh quoted facts and figures concerning the damage done to crops by the recent hailstorms no weight was attached to their statements although they had collected the particulars in their capacity as members of this honourable House. Honourable members are aware of the fact that a peasant works hard continuously for six months and it is only after this protracted labour that

is able to earn his living. But in cities we find that even chaprasis or ordinary clerks can earn twelve or twenty rupees a month by putting in comparatively less amount of labour. The poor peasant has to work hard. Even his wife and children are expected to help him in his work. He gets a yield of ten or twenty maunds of gur, wheat or maize as the case may be, after exertions extending over a long period of six months. Out of the proceeds of his labour he has to provide for his family and bear all the expenses he may have to incur in connection with ceremonies relating to death, birth or marriage. Besides, he has to pay a major portion of his income to the Government in the form of land revenue and abiana. Honourable members can very well realise his difficulties. In view of these tell-tale facts, I would again request the Honourable Minister for Revenue that he should not grant remissions on party lines.

I may also submit that Government should not conclude from the adjournment motion under consideration that we are opposed to them. I assure the occupants of the Treasury Benches that we never mean it. Our only object is to draw attention of Government to the woeful conditions of the afflicted people for whose relief Government have not adopted adequate measures, although they do claim in high sounding words that they have done a great deal in affording relief to the peasants whose crops were damaged by the hailstorm. In this connection it would not be out of place to mention that the attitude adopted by the gazetted officers concerned has not been fair. It appears that provincial autonomy has had absolutely no effect upon them and their die-hard attitude has undergone no change. I may be permitted to state an incident which took place recently. After the conclusion of the last convocation of the Punjab University, when the Honourable Ministers were leaving, a gazetted police officer was heard to remark as follows: "We run the machinery of Government and it is a thousand pities that the credit goes to these gentlemen." Besides, I would ask the honourable Unionist members opposite that they should not indulge in the same excuses which the previous government of Montford Reforms used to make. They are now at the helm of affairs. They claim their Government to be responsible to the people and as such they should feel more for the miseries of the zamindars.

Now I make three suggestions to the Government, which if acted upon would go a long way in meeting the wishes of the Opposition. First, the Parliamentary Secretary concerned and the Honourable Minister for Revenue should personally visit the affected area and after making enquiries should submit a report to this honourable House. Secondly, a committee consisting of four members, two being nominated by the ministerial party and two by the Opposition, should be appointed. This committee should thoroughly go into the matter, study facts and figures, and then submit a report. In passing I may submit that I have been told that the Minister for Public Works and the Minister for Revenue give away their salaries in charity. May I respectfully ask what useful purpose is served thereby? Why do they not give away their salaries for the purpose of affording relief to the poor peasants?

**Deputy Speaker:** The honourable member is again not confining to the motion before the House.

**Chaudhri Kartar Singh :** Sir, I was submitting some suggestions in respect of the enquiries to be made in the matter. I have made two suggestions and the third is that instructions should be issued to the Deputy Commissioner, Amritsar, that he should himself conduct fresh enquiries in the matter. We do not believe in the reports prepared by the patwaris who while distributing remissions try to devour half of them. With these words I strongly support the motion moved by my honourable friend, Sardar Sohan Singh Josh, and also request the zamindar members of the House to vote with us in case it is pressed to division, because we have brought forward this motion not with any ulterior motive but with the sole object of affording relief to their zamindar brethren. They should not be carried away by party sentiments.

Before I take my seat I wish to enquire through you, to whom we should address, to a Muslim League Government or a Unionist Government ?

**Sardar Muzaffar Ali Khan Qazilbash** (Lahore, Muhammadan, Rural) : Sir, I rise to oppose the adjournment motion. Although the interest of the zamindar is as dear to me as to the mover of the motion (*Voices from the Congress Benches : Question*) all the same I stand to oppose it, the reason being that this is not the way of bringing to the notice of the Government the damage done to crops in certain villages by hailstorm. Instead of asking the Government by means of a question as to what they have done the honourable mover is wasting the public time and money by bringing forward this adjournment motion. As Raja Ghazanfar Ali Khan has already pointed out, as soon as Government came to know about the damage done by hailstorm, deputy commissioners and commissioners were instructed to make reports ; and reports were made (*An honourable member : By patwaris ?*) not only by patwaris but verified by the deputy commissioners and commissioner. In case the mover of the motion challenges our figures we are prepared to prove that our figures are quite correct.

**Lala Deshbandhu Gupta :** Will the honourable member accept the sporting offer ?

**Sardar Muzaffar Ali Khan Qazilbash :** The other point made by the opposition was that no abiana remission was given by the Government. As far as abiana land is concerned, the figures are as follows—in Padhari it is 6.9 acres, in Chak Sikandar it is 9.2 acres and in Serai Diwana it is only .73 acres and remissions according to these have already been granted. So that question does not arise. Adjournment motions are considered to be of great importance in other parts of the world. Here what happens is that we have 10, 15 or 20 adjournment motions on the list every day. The result is that instead of any importance being attached to them, they have become a mere farce. Any little thing happens in the country and some honourable member of the Opposition rushes up with an adjournment motion and big headlines appear in the papers that such and such members have given notice of an adjournment motion.

**Lala Deshbandhu Gupta :** Is the honourable member speaking to the motion ?

**Deputy Speaker :** I would request the honourable member to please speak to the motion now before the House.

**Sardar Muzaffar Ali Khan Qazilbash :** All that I wanted to submit was that instead of wasting the time of this house, in this way, honourable members opposite would be well advised to ask questions on such matters. They will see that same results are obtained without wasting time and money.

**Sardar Sampuran Singh** (Lyallpur West, Sikh, Rural) : When I read this adjournment motion as worded by my friend, I was rather astonished that he should have included only a few villages in his motion when in fact there was a large number of villages that had suffered on account of this calamity of hailstorm. As he got up to move this motion he made it clear that the authorities had made invidious distinction between several constituencies in that district. Sir, this is a very serious charge and the Government should not have taken it so lightly. This is an accusation which practically goes to the very root of the Government. They have become so petty as to make distinction between constituency and constituency. I am afraid in doing so they are looking forward for grave troubles in the province. I would, therefore, request the Government to meet that charge. The Honourable Revenue Minister though he has made a lengthy speech and has tried to say everything that could be said, has not touched this point and has not tried to make his position clear on this matter. We know that patwaris are instructed definitely not to give more than specified amounts of remissions.

**Minister for Revenue :** Is that a fact ?

**Sardar Sampuran Singh :** Yes, that is a fact. In some cases certain letters which have been issued by the Government will prove that such instructions were given.

**Minister for Revenue :** I deny this.

**Sardar Sampuran Singh :** The honourable member denies because he does not know.

**Minister for Revenue :** I know better than the honourable member opposite.

**Sardar Sampuran Singh :** I was submitting that in certain districts the cotton crop was extremely poor this year and a large number of people approached the deputy commissioner and the Irrigation Department that general remission should be given to the district. The deputy commissioner of the district who did not happen to be a confirmed man, was rather inclined to recommend a general remission. The superintending engineer of the Irrigation Department who happened to be a very senior officer, advised the deputy commissioner that he (deputy commissioner) being yet a youngman should not make such a recommendation. I say it on my personal authority and from my personal experience, that that very Superintending Engineer had very plainly told me that so far as desi cotton crop in the district was concerned, it had totally failed and he knew that the Government was not going to give remission either in this or any other district. That is how your patwaris, your deputy commissioners and your superintending engineers behave in such matters where the question of giving remission to the zamindars is concerned and you feel perfectly safe that you have to depend upon these reports prepared by those people whose life is in your hands.

**Raja Ghazanfar Ali Khan :** A point of order Sir.

**Sardar Sampuran Singh :** I do not give in.

**Raja Ghazanfar Ali Khan :** The honourable member has just now said that he had a talk with the superintending engineer who told him that cotton crop had absolutely failed and that they were not going to give any remission. Is he entitled to make a remark against an officer who is not present here to reply to the charge made against him ?

**Deputy Speaker :** The honourable member should not have said anything about an officer who is not present here.

**Sardar Sampuran Singh :** Well, I need not labour on that point because it has already been decided. I was submitting that that is the way how these officials behave so far as the giving of remission to zamindars is concerned. I want to make out just one point before I sit down. It is to the effect that the figures that have been given to us by the Honourable Revenue Minister would definitely show that the remission which has been given to these villages is very small and as a matter of fact this is just the remission which people practically get every year in ordinary times when there are no special calamities as the Amritsar district had this year and that quite clearly establishes the contention of the learned mover of this motion that despite the fact that these villages had hailstorms and despite the fact that they had suffered very great loss, the Government has given them no remission whatsoever. I have worked out figures and the remission comes to 4 per cent., while in ordinary years without any special calamity, the remission comes to a little over 3 per cent. This means that they have been given no remission whatsoever.

**Chaudhri Jalal-ud-Din Amber** (West Central Punjab, Indian-Christian) (*Urdu*) : Sir, after hearing so many speeches I do not wish to take much time of the House. I will very briefly bring two things to your notice. At the very outset I wish to make it clear that no one should infer from my opposition to this adjournment motion that I have no sympathy with the zamindars. I am a zamindar myself and I have every sympathy with the zamindars in their difficulties. I am fully interested in their welfare. But I think that if adjournment motions are moved on such insignificant and small matters, it tantamounts to wasting the precious time of the Assembly. In my opinion this is no wit less than the terrible calamity resulting from hailstorm. My honourable friend Sardar Sohan Singh Josh has referred only to damage done by hailstorm to the crops in some villages of the Amritsar district. But I submit that the honourable members opposite are wasting the precious time of this Assembly on petty and small matters and are in fact inflicting injurious effects of another hailstorm on the whole of the Punjab, without compensation. We have wasted two precious hours of this Assembly, which in other words means that we have wasted a large sum of money for nothing. If the intention of the honourable mover of the adjournment motion was to find out some remedy, there were other means open to him and this matter would have been settled there and then. If the honourable mover really felt for the zamindars, it was his duty to have gone to the tahsildar or the Deputy Commissioner of that ilaqa at the right time and asked him to put the matter right.

**Sardar Sampuran Singh :** You had been a tahsildar yourself. Just recollect what you had been doing.

**Chaudhri Jalal-ud-Din Amber :** Instead of choosing the right course, the honourable member has brought in an adjournment motion and thereby wasted the precious time of the house which considerably affects the exchequer of the province. I ask the honourable members opposite "Who will account for this loss?"

**Lala Deshbandhu Gupta :** A point of order, Sir. Is the honourable member in order in remarking that it is waste of time of the House to discuss this motion? (*Voices : Yes.*)

**Deputy Speaker :** The honourable member is perfectly in order. (*Cheers from ministerial benches.*)

**Chaudhri Jalal-ud-Din Amber :** Well, Sir, the interesting point is, that it is only the poor zamindar who has to bear this hailstorm too and he is forced to come to the rescue of his province. A poet has expressed this very thing in a verse—

ہمیں اُنہا کیلئے بار اُلٹت جو ناز تیرے اُنہا کے ہیں

Now Sir, I come to the subject matter of the adjournment motion and I will very briefly say a few words about it. Even if we regard this adjournment motion as a just and proper one, even then there is nothing very substantial about it. They have simply expressed that sufficient kharaba has not been given by the authorities. My point is that they ought to have come forward with these proposals at the proper time, and not now when the time of assessment has passed and when it cannot be ascertained whether the figures quoted by the honourable members opposite are correct or the figures quoted by the government officers. With this data they have come forward with an adjournment motion and wish to pass a vote of censure against government. I submit that when there are rules of procedure for obtaining kharaba, the zamindars should have acted upon them. If they had resorted to them, I am sure they would have obtained their due share of kharaba.

The last thing that I want to submit is that the honourable mover of the adjournment motion and other members should personally instruct the zamindars that when girdawari is carried on they should go along with the Government officials and show them the condition of their damaged crops and give them full information about them. The honourable members never adopt these methods but simply bring in adjournment motions. From this I am constrained to remark that their sympathy with the zamindars seems to be a lip sympathy only and they want to make a show of it to the outside public that they have pleaded the cause of the zamindars and have demanded compensation for them from the government.

There is another point which I will submit before this honourable house and that is that when hailstorms occur generally lot of rain falls too and except water nothing is seen miles around. In such times it is very difficult to tour the affected areas. But even in these conditions officers do go to visit the hailstricken areas. This is the time when the representatives of the public should also join hands with them and help them in ascertaining

[Ch, Jalal-ud-Din Amber.]

and granting proper kharaba. Besides if any zamindar or honourable member finds that any patwari or girdawar is unwilling to record the correct extent of kharaba he should report the matter to the higher authorities at once. I understand that the Government and the Honourable Leader of the House have already issued instructions to this effect that complete inquiries should be made regarding the effects of hailstorms. The government has done all that lies in its power. If the honourable members opposite really feel for the zamindars they should instruct the zamindars to watch their interest, and should teach them to co-operate with the government officers and by helping the government to help themselves. But instead of doing this they bring adjournment motions and waste the precious time of the Assembly.

یہ کہان کی دوستی ہے کہ بنے ہیں درست ناصم

کوئی چارہ ساز ہوتا کوئی غمگسار ہوتا

**Chaudhri Muhammad Abdul Rahman Khan** (Jullundur North, Muhammadan, Rural) (*Urdu*): Sir, there is an Urdu verse—

مرض پڑھتا گیا جون جون دوا کی (Laughter)

Similar is the case with zamindars. The more the government tries to ameliorate their condition the more it becomes miserable. It is a pity that although the crops have been damaged in almost every district in the province, not to speak of remissions, no entries in respect of that have been made in official records. I fully realise my responsibilities when I say that. Why do not you accompany me to my own tahsil and see with your own eyes the havoc done to the crops by hailstorm? If you find that my statement is incorrect you may penalise me in any way you like. Besides, if these damages have been actually shown in official records even then I stand to be punished.

Raja Sahib has remarked that the honourable members on these benches only play to the gallery. He has further remarked that these speeches mean nothing, but propaganda in their own favour. I would like to say a few words in reply to that. The number of members of this house was previously 75 but now it is 175. They were paid Rs. 12 each as their daily allowance, but now they get Rs. 22 each.

(At this stage Mr. Speaker resumed the Chair).

**Mr. E. Few :** The gentleman was just now giving figures of the increase in the number of members of the council and the increase in the emoluments of members. My respectful point of order is whether he is talking to the adjournment motion or to the emoluments of the members.

**Mr. Speaker :** I request the honourable member to speak to the motion.

**Chaudhri Muhammad Abdul Rahman Khan :** Now, Sir, you have occupied the chair. I know you will not put up with any sort of irrelevancy (*laughter*). I was submitting, if the reply had been that on account of the fat salaries of the Parliamentary Secretaries no remission could have been granted to the zamindars, nobody would have taken exception to it. My district in general and my tahsil in particular have suffered heavily. The zamindars of Alwalpore made representations to this effect. But instead

of paying any heed to these representations the patwaris and girdawars were taken to task for having shown so much kharaba in official records. May I further submit for your information that Mehdi-pore ilaqa has been totally ruined. We have seen with our own eyes that the crops have heavily suffered. But no entry was made about that in official records. It is just as if a magistrate says to a man that he is dead. But the man says "No, I am all alive." Magistrate does not believe and again says, "No, you are dead because there is strong evidence to show that you are dead." (Laughter).

My honourable friend Jalal-ud-Din has said that by moving such adjournment motions the time of the House is being wasted. May I submit to him very respectfully that he was a tahsildar himself and therefore he had been skillful in concealing such home truths which might reflect on the negligence of the government.

(Voices : Question be now put).

**Mr. Speaker :** The question is—

That the question be now put.

*The motion was carried.*

**Sardar Sohan Singh Josh :** Sir, if I were to speak now, will the Honourable the Minister for Revenue be also permitted to make a speech in reply thereto ?

**Mr. Speaker :** Yes.

**Raja Ghazanfar Ali Khan :** You were pleased to call upon the mover of the adjournment motion to give reply. He got up from his seat and addressed you. Should it not be considered that he has exercised his right of reply.

**Mr. Speaker :** Certainly not. The question is—

That the Assembly do now stand adjourned.

*The Assembly divided : Ayes 33, Noes 86.*

AYES :

Ajit Singh, Sardar.  
Baldev Singh, Sardar.  
Bhagat Ram Choda, Lala.  
Bhagat Ram Sharma, Pandit.  
Bhim Sen Sachar, Lala.  
Chanan Singh, Sardar.  
Deshbandhu Gupta, Lala.  
Faqir Hussain Khan, Chaudhri.  
Ghulam Hussain, Khawaja.

Gopi Chand Bhargava, Dr.  
Hari Lal, Munshi.  
Hari Singh, Sardar.  
Harjab Singh, Sardar.  
Kabul Singh, Master.  
Kapoor Singh, Sardar.  
Kartar Singh, Chaudhri.  
Kishan Singh, Sardar.  
Lal Singh, Sardar.

Muhammad Abdul Rahman Khan,  
Chaudhri.  
Muhammad Hassan, Chaudhri.  
Muhammad Iftikhar-ud-Din, Mian.  
Muhammad Raza Shah Jeelani,  
Makhdumzada Haji Sayed.  
Mula Singh, Sardar.  
Muni Lal Kalia, Pandit.  
Partab Singh, Sardar.

Prem Singh, Mahant.  
Raghubir Kaur, Shrimati.  
Rai, Mr. C.  
Ram Narain Virmani Seth.  
Rur Singh, Sardar.  
Sampuran Singh, Sardar.  
Sant Ram Seth, Dr.  
Sohan Singh Josh, Sardar.  
Sudarshan, Lala.

#### NOES :

Abdul Haye, The Honourable Mian.  
Abdul Rab, Mian.  
Abdul Rahim, Chaudhri (Gurdas-  
pur).  
Abdul Rahim, Chaudhri (Gurgaon).  
Afzaalali Hasnie, Sayed.  
Ahmad Yar Khan Daulatana, Khan  
Bahadur Mian.  
Ahmad Yar Khan, Chaudhri.  
Akbar Ali, Pir.  
Ali Akbar, Chaudhri.  
Amjad Ali Shah, Sayed.  
Anant Ram, Chaudhri.  
Ashiq Hussain, Captain.  
Badar-Mohy-ud-Din Qadri, Mian.  
Balwant Singh, Sardar.  
Bhagwant Singh, Rai.  
Chhotu Ram, The Honourable  
Chaudhri Sir.  
Dasaundha Singh, Sardar.  
Faiz Muhammad, Shaikh.  
Farman Ali Khan, Subedar Major.  
Fateh Jang Singh, 2nd Lieut. Bhai.  
Fateh Khan, Raja.  
Fateh Muhammad, Mian.  
Fazl Ali, Khan Bahadur Nawab  
Chaudhri.  
Fazal Din, Khan Sahib Chaudhri.  
Fazal Karim Bakhsh, Mian.  
Few, Mr. E.  
Ghazanfar Ali Khan, Raja.  
Ghulam Mohy-ud-Din, Maulvi.  
Ghulam Rasul, Chaudhri.  
Ghulam Samad, Khawaja.  
Gopal Das, Rai Sahib Lala.  
Gopal Singh (American), Sardar.  
Gurbachan Singh, Sardar Sahib  
Sardar.

Habib Ullah Khan, Malik.  
Hans Raj, Bhagat.  
Het Ram, Rai Sahib Chaudhri.  
Indar Singh, Sardar.  
Jagjit Singh Man, Sardar.  
Jagjit Singh Bedi, Tikka.  
Jahan Ara Shah Nawaz, Mrs.  
Jahangir Khan, Chaudhri.  
Jalal-ud-Din Amber, Chaudhri.  
Khizar Hayat Khan Tiwana, The  
Honourable Nazwabzada Major.  
Kishan Das, Seth.  
Manobar Lal, The Honourable Mr.  
Maqbool Mahmood, Mir.  
Mubarik Ali Shah, Sayed.  
Muhammad Akram Khan, Khan  
Bahadur Raja.  
Muhammad Ashraf, Chaudhri.  
Muhammad Fajyaz Ali Khan,  
Nawabzada.  
Muhammad Hassan Khan Gur-  
chani, Khan Bahadur Sardar.  
Muhammad Hayat Khan Noon,  
Nawab Malik Sir.  
Muhammad Jamal Khan Leghari,  
Nawab Sir.  
Muhammad Nawaz Khan, Major  
Sardar.  
Muhammad Saadat Ali Khan, Khan  
Sahib Khan.  
Muhammad Sarfraz Khan, Chau-  
dhri.  
Muhammad Shafi Ali Khan, Khan  
Sahib Chaudhri.  
Muhammad Yasin Khan, Chaudhri.  
Muhammad Yusaf Khan, Khan.  
Mukand Lal Puri, Rai Bahadur Mr.

Mushtaq Ahmad Gurmani, Khan Bahadur Mian.	Ripudaman Singh, Thakur.
Muzaffar Ali Khan Qizilbash, Sardar.	Shahadat Khan, Khan Sahib Rai.
Muzaffar Khan, Khan Bahadur Captain Malik.	Shah Nawaz Khan, Nawab Khan.
Narendra Nath, Diwan Bahadur Raja.	Sham Lal, Rai Bahadur Chaudhri.
Nasir-ud-Din, Chaudhri.	Singha, Mr. S. P.
Nasir-ud-Din Shah, Pir.	Sita Ram, Lala.
Naunihal Singh Mann, Lieutenant Sardar.	Sultan Mahmud Hotiana, Mian.
Nawazish Ali Shah, Sayed.	Sumer Singh, Chaudhri.
Nurullah, Mian.	Sundar Singh Majithia, The Honourable Dr. Sardar Sir.
Pir Muhammad, Khan Sahib Chaudhri.	Suraj Mal, Chaudhri.
Ranpat, Chaudhri.	Talib Hussain Khan, Khan.
	Tara Singh, Sardar.
	Tikka Ram, Chaudhri.
	Ujjal Singh, Sardar Sahib Sardar.
	Umar Hayat Khan, Chaudhri.

*The Assembly then adjourned till 11 A.M. on Friday, 14th January 1933.*

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# PUNJAB LEGISLATIVE ASSEMBLY.

1st SESSION OF THE 1st PUNJAB LEGISLATIVE ASSEMBLY.

Friday, 14th January, 1938.

*The Assembly met in the Council Chamber, at 11 A. M. of the clock. Mr. Speaker in the chair.*

## STARRED QUESTIONS AND ANSWERS.

### SWIMMING TANK IN THE RAKH LANDS.

**\*930. Chaudhri Muhammad Hasan :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether it is a fact that sanction for the construction of a swimming tank on the Rakh lands in the Ludhiana district has recently been accorded by the Government ;
- (b) whether it is also a fact that Rakh gardens are used as recreation grounds by men and women of the Ludhiana town ;
- (c) whether it is a fact that subscription has been raised for the construction of the said tank from villagers by Tahsildars and Revenue Assistant in the said district ; if so, the amount so collected with the names of the subscribers ;
- (d) the total amount of subscription in hand including the contribution from the Silver Jubilee Fund ;
- (e) the names of the members of the committee, if any, appointed for the supervision of the construction of the said tank ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) Yes.

(b) Yes.

(c) No subscriptions were originally raised for the swimming bath. Half the amount of the subscriptions collected for the King George Memorial Fund is being spent on this swimming tank which is named King George Memorial Swimming Bath. Later on, however, some subscriptions were received specially for this Bath. A list showing the names of persons subscribing Rs. 20 or over towards this Bath, is laid on the table.

(d) Rs. 5,984-18-0. It does not, however, include any contribution from the Silver Jubilee Fund.

(e) The District Engineer, Ludhiana, in consultation with the Executive Engineer (Irrigation), Ludhiana, supervises the construction of the said tank.

**Chaudhri Muhammad Hasan :** Is it a fact that the foundations of this tank were talked about before sanction was obtained from the Government ?

**Minister :** I am not aware of that.

**Sardar Kapoor Singh :** Is that tank named as Baba Nanak Singh Tank ?

**Minister :** Not to my information.

**Khawaja Ghulam Samad :** Have the local bodies also contributed towards this fund ?

**Minister :** A list is laid on the table.

**Pandit Muni Lal Kalia :** Is the contribution in the hands of the Deputy Commissioner of Ludhiana and is it to be utilised towards some other local expenditure or towards the maintenance of roads of the district ?

**Minister :** There are no roads to be maintained out of this fund to my knowledge.

**Pandit Muni Lal Kalia :** Will the Government direct local bodies to spend this fund towards the maintenance of roads ?

**Minister :** That does not arise out of this question.

**Chaudhri Muhammad Hasan :** Who supervises the construction of this tank ?

**Minister :** The District Engineer, Ludhiana, in consultation with the Executive Engineer (Irrigation), Ludhiana, supervises its construction.

**Chaudhri Muhammad Hasan :** Has the Honourable Minister allowed the District Engineer to supervise the construction of this tank ?

**Minister :** Yes, he is doing this work honorarily. There is no question of allowing him to do so.

**Chaudhri Muhammad Hasan :** Is it permissible under the rules ?

**Minister :** There is no question of rules.

*List of subscribers to the King George V Memorial Fund, Ludhiana District.*

			Rs.	A.	P.
Sardar Bahadur Sardar Dai Singh, O.B.E., of Malaudh	..	..	1,000	0	0
Khan Bahadur Rai Muhammad Inayat Khan	..	..	250	0	0
Sardar Shivdit Singh, Rais, Qila Raipur	..	..	100	0	0
Captain Attar Singh of Narangwal	..	..	100	0	0
Sardar Bakhtawar Singh, Rais, of Narangwal	..	..	25	0	0
Chaudhri Karam Bakhsh, Chaudhri Qasim Ali, Jagraon	..	..	25	0	0
Mir Mustafa Hassan, Jagirdar, Jagraon	..	..	20	0	0
Mian Muhammad Abdullah, Subedar, Jagraon	..	..	20	0	0
Chaudhri Lal Khan, Sufedposh, Gagra	..	..	20	0	0
Lala Benarsi Das, Rais, Jagraon	..	..	25	0	0
Lala Kishori Lal, Beri, Rais, Jagraon	..	..	25	0	0
Sardar Sahib Sardar Jhanda Singh, Advocate, of Ghalib Kalan.	..	..	25	0	0
Municipal Committee, Jagraon	..	..	500	0	0
Municipal Committee, Raekot	..	..	100	0	0
Municipal Committee, Khanna	..	..	150	0	0
Co-operative Bank, Ludhiana	..	..	100	0	0
District Board, Ludhiana	..	..	1,500	0	0
Sardar Bahadur Bhai Arjan Singh O.B.E., Bagarian	..	..	225	0	0

			Rs.	A.	P.
Rai Muhammad Iqbal Ahmad Khan, Raekot .. ..	..	..	100	0	0
Sardar Gurdev Singh, Raepur .. ..	..	..	25	0	0
Captain Mohinder Singh of Mohmensinghwalla .. ..	..	..	25	0	0
Sardar Tahal Singh, Zaildar, Chungrena .. ..	..	..	25	0	0
Lieutenant Thaman Singh of Asi Kalan .. ..	..	..	20	0	0
Chaudhri Sher Muhammad, Zaildar, Khara .. ..	..	..	68	0	0
Sardar Hoshiara Singh, Zaildar, Dakha .. ..	..	..	72	0	0
Chaudhri Muhammad Ismail, Zaildar, Kum .. ..	..	..	50	0	0
Sardar Dewa Singh, Zaildar, Chhapar .. ..	..	..	93	0	0
Chaudhri Zebte Khan, Zaildar, Andlu .. ..	..	..	40	0	0
Chaudhri Ghulam Muhammad, Zaildar, Paddi .. ..	..	..	53	0	0
Risaldar Amar Singh, Sarbrah Zaildar .. ..	..	..	65	0	0
Sardar Dial Singh, Zaildar, Hans .. ..	..	..	42	0	0
Sardar Harnam Singh, Zaildar, Gill .. ..	..	..	56	0	0
Chaudhri Fauj Din, Zaildar, Mangat .. ..	..	..	56	0	0
Chaudhri Muhammad Ishaq, Zaildar, Ballianwal .. ..	..	..	60	0	0
Chaudhri Ghulam Chishti, Zaildar, Dhanusu .. ..	..	..	32	0	0
Chaudhri Munshi Khan, Zaildar, Khasi Kalan .. ..	..	..	36	0	0
Chaudhri Fazal Ilahi, Zaildar, Ludhiana .. ..	..	..	110	0	0
Sardar Chanan Singh, Sufedposh, Lalton Khurd .. ..	..	..	30	0	0
B. Inder Singh, retired Engineer, Jagraon .. ..	..	..	25	0	0
Sardar Partap Singh, Zaildar, of Dalia .. ..	..	..	40	0	0
Bar Association, Jagraon .. ..	..	..	50	0	0
Mahant Khushal Das, Jagraon .. ..	..	..	20	0	0
Sardar Partap Singh, Zaildar and Jagirdar, Lillian .. ..	..	..	45	0	0
Sardar Sampuran Singh, Zaildar, Mohi .. ..	..	..	20	0	0
Chaudhri Ali Muhammad, Zaildar, Jagraon .. ..	..	..	25	0	0
Sardar Thaman Singh, Zaildar, Rumi .. ..	..	..	20	0	0
Chaudhri Partap Singh of Dalla .. ..	..	..	30	0	0
Chaudhri Nand Singh, Zaildar, of Hans .. ..	..	..	20	0	0
Sardar Narain Singh, Zaildar, Otalon .. ..	..	..	30	0	0
Sardar Chuhar Singh Zaildar, Todarpur .. ..	..	..	20	0	0
Sardar Sahib Sardar Harnam Singh of Mohanpur .. ..	..	..	42	0	0
Sardar Sarpat Singh, Jagirdar, Ladhra .. ..	..	..	100	0	0
Sardar Dalip Singh, Jagirdar, Ladhra .. ..	..	..	50	0	0
Sardar Ude Singh, Jagirdar, Ladhra .. ..	..	..	50	0	0
Sardar Harbhagat Singh, Zaildar, Ekolaha .. ..	..	..	30	0	0
Sardar Harban Singh, Jagirdar .. ..	..	..	50	0	0
Captain Sardar Jagpal Singh of Ladhra .. ..	..	..	300	0	0
Chaudhri Joginder Singh of Sandhaur .. ..	..	..	50	0	0
Sardar Jagdev Singh of Chungrena .. ..	..	..	100	0	0
Diwan Ram Saran Das of Ludhiana .. ..	..	..	100	0	0
Sardar Amar Singh of Jodhan .. ..	..	..	100	0	0
Sardar Chanda Singh of Gujjarwal .. ..	..	..	100	0	0
Collections through District Inspector of Schools, Ludhiana .. ..	..	..	263	5	6
Minor collections below Rs. 20 through the Tahsildars in the district.	..	..	2,699	5	2

GRAND TOTAL .. 2,647 10 9

## ROADS IN LUDHIANA DISTRICT.

**\*931. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether he is aware that Samrala-Khanna, Dakha-Raikot and Raikot-Jagraon roads in Ludhiana district are in such a bad condition that motor lorries, tongas and cars get damaged when plying on them ;
- (b) the amount of annual grant given by the Government for the maintenance of these roads ;
- (c) whether these roads have ever been inspected by officers of the Public Works Department; if so, when, and the nature of the reports made by them ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) Yes. The roads are in a neglected condition.

(b) As per statement attached.

(c) Yes, in September, 1937. The nature of the report made in this connection was that the general condition was not satisfactory. These roads will, however, be provincialised in the near future.

**Chaudhri Muhammad Hasan :** Is the Government prepared to stop the annual grant till these roads are properly repaired ?

**Minister :** This will make things still worse and quite contrary to the object of the honourable member.

**Chaudhri Muhammad Hasan :** How does the Government want to improve the conditions of the roads ?

**Minister :** By provincialising them.

**Chaudhri Muhammad Hasan :** All of the roads ?

**Minister :** The roads mentioned in the question.

**Chaudhri Muhammad Hasan :** What are those roads ?

**Minister :** The roads that are mentioned in the question.

**Pandit Muni Lal Kalia :** Have some roads already been taken over by the Public Works Department ?

**Minister :** I have already replied.

**Sardar Kapoor Singh :** Does Government want to take over the Khanna-Samaryal road from the District Board, Ludhiana ?

**Minister :** I believe so.

**Sardar Kapoor Singh :** When is it expected that the Public Works Department will take it over from the District Board ?

**Minister :** No date can be specified.

**Sardar Kapoor Singh :** Will the Government expedite this matter as to whether the Government is going to take it over or not from the District Board, so that the District Board may be able to know clearly its position as to metalling it ?

**Minister :** I do not follow. Please speak distinctly.

**Sardar Kapoor Singh :** Will the Government be pleased to let me know whether they are going to take over this particular road from the District Board or not definitely ?

**Minister :** You can draw your own inference. I have given my reply.

**Lala Deshbandhu Gupta :** Is it going to be provincialised ?

**Minister :** I have already replied.

**Chaudhri Muhammad Hasan :** How does the Honourable Minister intend to take to task the officials concerned for negligence of their duties ?

**Minister :** It does not arise.

*Statement.*

Name of road.	Expenditure in 1935-36 by District Board.	Grant paid by Government in 1936-37.	Expenditure by District Board in 1934-35.	Grant paid by Government in 1935-36.
1	2	3	4	5
	Rs.	Rs.	Rs.	Rs.
Khaana-Samrals and on to Machiwara.	17,503	6,315	13,064	4,775
Dakha-Raekot and on to Jagraon.	16,361	5,903	16,662	6,090

NEWSPAPERS AND COURT NOTICES.

**\*932. Munshi Hari Lal :** Will the Honourable Premier be pleased to state—

- whether Government maintain any approved list of newspapers in the Punjab which are supplied with Government and judicial courts' notices processes and advertisement for publication at the cost of the Government ;
- whether it is also a fact that certain newspapers in the Punjab are refused the concession ; if so, the considerations that prevail in making this selection ?

**Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) :** (a) Yes.

(b) The attention of the honourable member is invited to the answer given by me to question No. \*165<sup>1</sup> put by Malik Barkat Ali at the last Simla session of the Assembly.

**Pandit Muni Lal Kalia :** Has there any change in the angle of vision of the Government taken place since April last ?

**Parliamentary Secretary :** If the honourable member will exactly tell me what he means I will try to explain.

**Pandit Muni Lal Kalia :** My question is with reference to part (a) of the question just now answered, and it is—

“ Whether Government maintain any approved list of newspapers in the Punjab which are supplied with Government and Judicial Courts’ notices processes and advertisement for publication at the cost of the Government ”.

The supplementary question is whether there has been any change in the policy of the Government with regard to the change in this list after 1st April ?

**Parliamentary Secretary :** I have already replied in the affirmative.

**Lala Bhim Sen Sachar :** Have there been any inclusions or exclusions of newspapers from this list since 1st April, 1937 ?

**Lala Deshbandhu Gupta :** Has the honourable member seen the list himself ?

**Parliamentary Secretary :** Why not ?

**Lala Deshbandhu Gupta :** Are there any additions to or subtractions from that list ?

**Parliamentary Secretary :** Another question is coming up to-day on the same subject and I will reply then.

**Lala Deshbandhu Gupta :** Will the honourable member consider the advisability of not keeping the approved list at all ?

**Sardar Partab Singh :** Is the Government aware of the fact that the maintenance of such an approved list will hamper the growth of free and independent journalism ?

**Parliamentary Secretary :** No.

**Lala Deshbandhu Gupta :** Is Government aware that this consideration guides certain departments of Government in giving advertisements to certain newspapers or including certain newspapers in the approved list ? No considerations of circulation are material to the Government in taking a paper on the approved list.

**Parliamentary Secretary :** Circulation of the paper is one of the considerations.

**Khawaja Ghulam Hussain :** Is any other approved list not being maintained ?

**Parliamentary Secretary :** Not that I know of.

CIRCULAR REGARDING HALF-FEE CONCESSION.

\*933. **Munshi Hari Lal :** Will the Honourable Minister for Education be pleased to state—

- (a) whether there is any circular issued by the Punjab Government allowing half fee concession to the children of the agriculturists and village *kamins* attending the secondary Government, municipal and district board anglo-vernacular schools and Government intermediate colleges in certain districts of the Punjab; if so, whether he is prepared to lay a copy of that circular on the table of the House;
- (b) whether the orders embodied in the aforesaid circular are applicable to privately managed aided schools; if not, the reasons for this discrimination and whether the discrimination affects the aided schools in the matter of grant-in-aid from the Government?

**The Honourable Mian Abdul Haye :** (a) The honourable member is referred to Punjab Government (Ministry of Education) memorandum No. 12095-R, dated 12th July, 1930, a copy of which is laid on the table.

(b) No; the circular is not applicable to privately managed aided schools, as the provincial finances are unable to bear the cost of extending the concessions to such schools. The latter are, however, at liberty to allow these concessions at their own cost without claiming any additional grant from Government on this account.

**Pandit Muni Lal Kalia :** Does the term 'agriculturists' in this notification mean statutory agriculturists or the people residing in rural areas?

**Minister :** It means statutory agriculturists.

**Pandit Muni Lal Kalia :** And not actual cultivators who do not happen to be on the list?

**Minister :** It would include zamindars as a whole.

**Pandit Muni Lal Kalia :** 'Zamindar' as defined in the Land Alienation Act?

**Minister :** I have stated it includes all cultivators, whether they are statutory agriculturists or not.

**Khawaja Ghulam Samad :** Is the Government prepared to extend this concession to the children of the members of scheduled castes and to those of professional people who are very poor?

**Minister :** It is already extended to the children of the scheduled castes.

**Khawaja Ghulam Samad :** And to those of the professional people?

**Minister :** Yes, to *kamins* also.

[Minister for Education.]

*Memorandum No. 12095-R, dated the 12th July, 1930, from the Under Secretary to Government, Punjab, to the Director of Public Instruction, Punjab.*

In supersession of the orders contained in Punjab Government (Ministry of Education) Memo. No. 16977-R., dated the 22nd, October, 1929, sanction is hereby accorded to the grant until further orders, of half fee concessions to children of agriculturists and village kamins attending the secondary classes of Government and board anglo-vernacular schools and of Government intermediate colleges from the areas noted below, provided that the parent or guardian does not own or cultivate land assessed to annual land revenue of Rs. 50 or more, or is not assessed for income-tax.

Serial No.	Name of district.	Name of area to which concession is admissible.
1	2	3
1	Shahpur .. .. .	Khushab tahsil.
2	Jhelum .. .. .	All tahsils.
3	Attock .. .. .	Ditto.
4	Mianwali .. .. .	Ditto.
5	Rawalpindi .. .. .	Ditto.
6	Muzaffargarh .. .. .	Ditto.
7	Dera Ghazi Khan .. .. .	Ditto.
8	Hissar .. .. .	Fatehabad and Bhiwani.
9	Rohtak .. .. .	Jhajjar tahsil.
10	Karnal .. .. .	Kaithal tahsil.
11	Kangra .. .. .	All tahsils except Kangra and Palampur.
12	Hoshiarpur .. .. .	Una tahsil.
13	Simla .. .. .	Kot Khai tahsil.
14	Gurdaspur .. .. .	Pathankot and Shakargarh tahsils.
15	Gurgaon .. .. .	Nuh and Ferozepore-Jhirka tahsils.

2. This concession shall also be admissible to village kamins and agriculturists taking optional English and vernacular middle schools.

3. To secure this concession it will be necessary for the father or guardian of a boy who desires the concession to produce satisfactory evidence that he pays less than Rs. 50 annual land revenue and that he pays no income-tax. For this purpose he will have to produce certain extracts from revenue records and also at the same time, an affidavit attested by the tahsildar or naib-tahsildar of the tahsil in which he resides. A sample form of the affidavit approved by the Financial Commissioner is attached.

4. In the case of fluctuating revenue, the revenue to be shown in the extracts from revenue records will be that for the preceding year, while in the case of fixed land revenue the extracts will show the land revenue paid by the father or guardian as owner or tenant of the land held by him on the first day of the year in which the concession is claimed. A fresh affidavit must be produced every year during which it is desired that the concession should be continued.

5. These orders will have effect from 1st January 1930.

*Form of Affidavit.*

In the court of the Tahsildar of \_\_\_\_\_  
 Tahsil \_\_\_\_\_ District \_\_\_\_\_  
 Affidavit by \_\_\_\_\_ son of \_\_\_\_\_ caste \_\_\_\_\_  
 occupation \_\_\_\_\_ of village \_\_\_\_\_  
 tahsil \_\_\_\_\_ District \_\_\_\_\_  
 father of \_\_\_\_\_ student of \_\_\_\_\_ school \_\_\_\_\_  
 intermediate college.

I above named make oath and say that I do not possess or cultivate any land either as owner, mortgagee, lessee or as a tenant except that entered in the patwaris' extracts enclosed as per details given below :—

1. \_\_\_\_\_ kanals, assessed to land revenue of \_\_\_\_\_  
 Ra. \_\_\_\_\_ situate at village \_\_\_\_\_ Tahsil \_\_\_\_\_  
 District \_\_\_\_\_

2. I further state that I do not pay any income-tax.

Read over and admitted to be correct.

Tahsildar \_\_\_\_\_

SCHEME TO COMBAT MENACE TO AGRICULTURE IN  
 HOSHIARPUR, ETC.

**\*934. Sardar Hari Singh :** Will the Honourable Minister for Revenue be pleased to state whether the Government has given the promised consideration to the representation made to the Honourable Minister and the Premier last session by a deputation of Doaba M.L.A's. regarding the necessity of launching a major scheme to meet the menace to agriculture in Hoshiarpur and Jullundur districts consequent on the alarming subsidence in the water-table; if so, with what result ?

**The Honourable Dr. Sir Sundar Singh Majithia :** A complete history of the case is being prepared from the Government files on the subject by a special officer deputed for the purpose. As soon as this report is received it is proposed to appoint a special committee of experts to examine the question. Government is alive to the gravity of the situation and is doing its best to meet the exigencies of the case.

CIRCULAR ISSUED BY GOVERNMENT REGARDING PREVENTION OF  
 CORRUPTION.

**\*935. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- the number of petitions received against Government servants since the issue of the "five respectable persons" circular re prevention of corruption ;
- the number of cases in which inquiries have been made and completed so far with the result in each case ;
- the number of cases in which action has been taken against the Government servants found guilty after inquiry ;
- whether Government have also any other proposal under consideration for purifying the administration ?

**Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) :** (a) It is presumed that the honourable member means, since the publication of the press *communiqué* in May last drawing attention to rule 9-A in Punjab Government consolidated circular 6 : the rule itself is much older. On this assumption the answer is 50.

(b) and (c) The figures, so far as it has been possible to collect them at short notice, are as follows :—

Allegations withdrawn .. .. .	1
Allegations not substantiated .. .. .	17
Official concerned transferred .. .. .	5
Official concerned dismissed .. .. .	6
Cases still under inquiry .. .. .	21

(d) No new measures are contemplated at present.

#### ESTABLISHMENT OF A POLICE STATION AT GARHDIWALA.

**\*936. Sardar Hari Singh :** Will the Honourable Premier be pleased to state whether the Government proposes to establish a police-station (*thana*) at Garhdiwala, district Hoshiarpur, in the near future, and, if so, the reasons for the same?

**Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) :** Government are not at present considering any such proposal.

#### ARREST IN THE PUNJAB ON POLITICAL GROUNDS.

**\*937. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) the number and particulars of arrests on political grounds in the Punjab since 1st April last, and the number of such arrests under section 124-A, Indian Penal Code ;
- (b) the number and particulars of notices of internment and externment served on political workers in the Punjab under the Criminal Law Amendment Act since 1st April last ;
- (c) the number of such arrests and notices separately from April to October during each of the three previous years ?

**Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) :** If the honourable member would make it clear what he means by arrests on " political grounds " and " political workers " I might be able to collect the information for him.

**Lala Deshbandhu Gupta :** Has not the honourable member seen section 124-A mentioned therein clearly ?

**Parliamentary Secretary :** The cases under section 124-A were nine. It may also interest the honourable member and the House that cases under section 153-A were six.

**Pandit Muni Lal Kalia :** Were any warnings given to persons against whom sanction was sought under section 124-A by the Honourable Premier ?

**Parliamentary Secretary :** No such warning is required under the law.

**Pandit Muni Lal Kalia :** Is it a fact that the Honourable Premier sent for 5 Congress workers on the 21st of August and warned them to desist from taking part in politics ?

**Lala Deshbandhu Gupta :** What about parts (b) and (c) ? The honourable member has not given any reply to these.

**Parliamentary Secretary :** No information can be supplied unless the honourable member states what he means by the terms "political grounds" and "political workers."

**Sardar Hari Singh :** The section is already given there. Will the honourable member please read part (b) of the question ?

**Parliamentary Secretary :** The honourable member must clearly define what he means by "political workers."

**Pandit Muni Lal Kalia :** By "political workers" we mean workers who take part in political activities.

**Lala Bhim Sen Sachar :** Just for future guidance, Sir, is not the term "political worker" very clear or is something more required to bring this matter to the august attention of the Government ?

**Minister for Public Works :** Would you please attempt a definition ?

**Sardar Hari Singh :** If the honourable member gives me the number and particulars of arrests required by part (b) of my question, I will analyse which of these are political and which of these are non-political.

**Parliamentary Secretary :** Unless the question is clear, I am not in a position to answer it.

#### PROSECUTION OF SARDAR BALWANT SINGH DUKHIA.

\*938. **Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

(a) the authority sanctioning the prosecution of Sardar Balwant Singh Dukhia, Chairman, Reception Committee of the Punjab Provincial Political Conference, Gardhiwala, district Hoshiarpur, under section 302/115, Indian Penal Code ;

(b) the objectionable portion of his speech ?

**Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daultana) :** (a) The offence for which S. Balwant Singh Dukhia was prosecuted was cognizable and did not require the sanction of any authority.

(b) For the objectionable portions of the speech, the honourable member is referred to the judgment in the case against S. Balwant Singh Dukhia.

**Sardar Hari Singh :** Is the honourable member aware that the accused has since been acquitted by the Sessions Judge on appeal ? Will he please give me answer to this ?

**Minister for Public Works :** Do not exact answers like a school master. (Laughter).

**Sardar Hari Singh :** Is he aware that the Sessions Judge in his judgment has held that the report in the case was fabricated.

**Parliamentary Secretary :** That is not a supplementary question.

**Mr. Speaker :** I have given considerable latitude to the gentlemen asking supplementary questions, but I am constrained to say that that latitude has been abused, to some extent, by some members. I am obliged, therefore, to apply the rules rather strictly and in future will allow only those questions which are admissible under the rules in force. Some honourable members go too far in asking supplementary questions, which are even more complicated and far-reaching than the original questions. Supplementary questions are meant for elucidating facts stated in answers. I request honourable members to be more reasonable in their own interest as well as in the interest of the House. It is not fair on their part to ask as supplementary questions, questions which cannot be answered without previous notice.

#### PARLIAMENTARY SECRETARIES.

**\*939. Sardar Hari Singh :** Will the Honourable Premier be pleased to state the duties and functions assigned to the Parliamentary Secretaries ?

**Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majithia) :** It is the duty of Parliamentary Secretaries to be of general assistance to Ministers in their work in the Assembly, to act as a channel of communication between Ministers and members of the Assembly and to keep in close touch with constituencies in their districts and in other parts of the province when necessary, as regards general Government policy.

**Sardar Hari Singh :** Are not Parliamentary Secretaries required to stay at Lahore when the Assembly is not in session ?

**Minister :** Not ordinarily.

**Sardar Hari Singh :** Have Government framed any rules to guide the Parliamentary Secretaries in the matter of discharge of duties assigned to them ?

**Minister :** They must have been defined in the rules.

**Sardar Hari Singh :** Has the Government framed any rules ? It is not a question of 'must' or 'must not'.

**Sardar Sampuran Singh :** This is exactly what I wanted to argue before ; that, when the questions are evaded, the next question is put only to make that point clear. We find in this instance that when a question is evaded, another supplementary question is put.

**Mr. Speaker :** The original question was "Will the Honourable Premier be pleased to state the duties and functions assigned to the Parliamentary Secretaries ?" The next original question should have been "Are there any rules on the subject?" Why not make the original question comprehensive in the first instance and have only those matters elucidated by supplementary questions which may arise from answers. This, strictly speaking, is a new and independent question. I have no objection to its being asked. I allow it. So, it be answered, but I would request honourable members to make their original questions as comprehensive as possible.

**Sardar Sampuran Singh :** This was not my point of order.

**Mr. Speaker :** There is no point of order.

**Sardar Sampuran Singh :** The question has been allowed, it is put and the answer is evaded. The question is that they must have been framed. The question is not whether they are or they are not framed. He says they must have been made. When such an evading answer is given, will it be in order to put further questions ?

**Minister :** There is no occasion of evasion on this subject. The position is that unless these rules are framed and laid down you cannot say that the rules have been framed or not framed. We say that the rules have been framed and duties of the Parliamentary Secretaries have been laid down.

**Lala Deshbandhu Gupta :** Will the Leader of the House be pleased to lay on the table of the House a copy of the Rules relating to the appointment and the functions of the Parliamentary Secretaries ?

**Minister :** I have no objection to do so.

**Pandit Muni Lal Kalia :** Has any of them been specifically given the work of propaganda ?

**Minister :** You will see what the duties are given to them when the rules are laid on the table of the House.

**Lala Deshbandhu Gupta :** Will the Leader of the House be pleased to state whether it is open to any Parliamentary Secretary to carry on his legal profession or his business alongside with his functions and duties as Parliamentary Secretary ?

**Minister for Public Works :** That is for the High Court of Judicature to decide.

**Minister for Revenue :** I require notice for that.

**Khawaja Ghulam Hussain :** May I know if the Honourable Minister is prepared to say whether a Parliamentary Secretary can deal with the administrative work of the Government ?

**Minister :** No, I do not think so.

**Khawaja Ghulam Hussain :** Can he pass any orders on administrative files ?

**Minister :** No.

**Mr. Speaker :** May I point out that the honourable member's questions, though intelligent in one respect, are uncalled for in view of the answer given by the Honourable Minister, who said "rules have been framed and will be laid on the table of the House". Why go further into the same matter ? Why not wait till the rules are laid on the table of the House ?

**Khawaja Ghulam Hussain :** We shall not get any opportunity to question with regard to this matter when they are laid on the table.

**Mr. Speaker :** In that case a question may be asked in the next session of the Assembly.

## CENSORING OF MR. SUBHASH CHANDRA BOSE'S CORRESPONDENCE.

**\*940. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) whether his attention has been drawn to a statement issued to the press by Mr. Subhas Chandra Bose on the censoring of his correspondence while he was at Dalhousie, alleging that his letters had been tampered with by the Punjab Criminal Investigation Department ;
- (b) whether he has made inquiries into his complaint ; if so, with what result ?

**Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) :** (a) Yes.

(b) No complaint was made to the Government by Mr. S. C. Bose and no enquiries were made.

**Sardar Hari Singh :** Does the Government think that no enquiries were called for on seeing the statement of Mr. Subhas Chandra Bose in the press ?

**Parliamentary Secretary :** The Government is under no obligations to make enquiries about the statements that appear in the press.

**Sardar Partab Singh :** Did not Government pass the order of censoring his correspondence ?

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

**Lala Deshbandhu Gupta :** Did Government expect Mr. Subhas Chandra Bose to file an application for enquiry and was it not enough to issue the press statement for Government to take notice of the same ?

**Parliamentary Secretary :** He could have written to the Premier .

**Dr. Gopi Chand Bhargava :** May I know whether it was under the instructions of the Government that his correspondence was censored ?

**Parliamentary Secretary :** It is not a supplementary question to the original question but if the Leader of the Opposition wishes me to supply information on the subject, I will do so.

**\*941. Cancelled.**

## CONSOLIDATION OF HOLDINGS.

**\*942. Chaudhri Kartar Singh :** Will the Honourable Minister of Development be pleased to state—

- (a) in which districts of the province the work of consolidation of holdings is going on ;
- (b) whether the expenses of consolidation have to be borne by the zamindars ?

**The Honourable Chaudhri Sir Chhotu Ram :** (a) Gurgaon, Karnal, Ambala, Kangra, Hoshiarpur, Jullundur, Ludhiana, Ferozepore, Lahore, Amritsar, Gurdaspur, Gujranwala, Shahpur, Rohtak, Sialkot, and Gujrat. In the last three districts work is being carried on by the Revenue staff.

(b) No, but in many cases zamindars voluntarily contribute at the rate of 2 annas to 9 annas per acre towards the cost of consolidation and villages making such contributions receive priority. Otherwise the whole cost is borne by Government. In 1935-36 the cost amounted to Re. 1-7-0 per acre.

**Chaudhri Kartar Singh :** Has the Government received any complaint against the work of consolidation of holding from any district ?

**Minister :** This is not a supplementary question.

MASTER DALIP SINGH, BABAR AKALI.

**\*943. Chaudhri Kartar Singh :** Will the Honourable Finance Minister be pleased to state—

(a) whether it is a fact that Master Dalip Singh, a Babar Akali prisoner, has been suffering from tuberculosis for a long time ;

(b) whether Government are prepared to lay on the table the history chart of his disease ?

**The Honourable Mr. Manohar Lal :** A brief history of Master Dalip Singh's illness is laid on the table.

**Sardar Partab Singh :** In what class is he being kept ?

**Minister :** I was not asked to make enquiries about it. Presumably class C.

**Sardar Partab Singh :** When he is suffering from tuberculosis, is special accommodation or facility not given ?

**Minister :** The question was simply to furnish to the House a statement about the illness of this patient. A very ample statement is being laid on the table.

**Lala Deshbandhu Gupta :** Will he consider the advisability of keeping the prisoner in class 'B' so long as he suffers from tuberculosis ?

**Minister :** If the prisoner applies I will consider.

*A brief history of the illness of Master Dalip Singh, son of Ichhar Singh, a terrorist prisoner confined in the New Central Jail, Multan.*

Master Dalip Singh, son of Ichhar Singh, has been in the Tubercular section of this jail hospital for the following periods—

(1) from 25th November, 1930 to 2nd December, 1931.

(2) from 1st May, 1933 to 10th July, 1933, and

(3) from 20th December, 1936 to 18th January, 1937.

as a case of Pulmonary Tuberculosis. He was declared P. T. G. (Post Tubercular Gang) on 2nd December, 1931, 10th July, 1933 and 18th January, 1937 and discharged from the hospital.

He was twice X-rayed, viz., on 20th July, 1933 and 24th January, 1935. The result of X-ray on 20th July, 1933, was as follows :—

*Right Lung.*—Apex clear. Root shadows increased and enlarged glands present.

*Left Lung.*—Apex and all zones clear. Root shadows increased and enlarged glands present.

The result of X-ray on 24th January, 1935 was "No definite evidence of infiltration."

## [Minister for Finance.]

From the last date of the prisoner's having been declared Post Tubercular Gang, viz., 18th January, 1937 his temperature chart was regularly maintained which shows that he never ran any temperature since then.

*Present condition.*—Long drawn narrow chest. Movements normal on both sides. Vocal fremitus decreased over the right apex. Breath sounds slightly of less intensity over the right apex. No accompaniments. Vocal resonance slightly diminished over the right apex. His weight on 18th January, 1937 when he was declared P. T. G. was 109 lbs., and to-day, i.e., on 24th November, 1937 it is 111 lbs.

## HAZARA SINGH, BABAR AKALI.

**\*944. Chaudhri Kartar Singh:** Will the Honourable Finance Minister be pleased to state—

- (a) whether it is a fact that Hazara Singh, Babar Akali, a prisoner in Mianwali Jail, is suffering from leprosy;
- (b) whether Government are prepared to send for a report of his illness from the medical officer of the said jail and lay it on the table of the House?

**The Honourable Mr. Manohar Lal:** A medical report on the health of Hazara Singh, Babar Akali prisoner, is laid on the table.

*Medical report of convict No. 7249, Hazara Singh, son of Indar Singh, at present confined in the Leper ward, Mianwali District Jail.*

1. Convicted on 28th February, 1926.
2. Weight on conviction 107 lbs., i.e., 9 lbs., less than the standard weight.
3. Present weight 120 lbs.
4. Suspected of leprosy at the Montgomery Central Jail on 14th June, 1934 and transferred to the District Jail, Mianwali on 21st September, 1934 as a leper.
5. At present he has got two small superficial ulcers—one in front of the right temple and the other on the left nostril, otherwise his health is good.

## PUNITIVE POLICE POST AT MANDI BAHU-UD-DIN.

**\*945. Chaudhri Kartar Singh:** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that a punitive police post has been stationed at Mandi Baha-ud-Din;
- (b) whether any particular community of that place has been made to bear the expenses of the police post;
- (c) if so, the reasons for the discrimination?

**Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh):**  
(a) The Honourable Member is invited to refer to Punjab Government notification No. 1007-S., dated the 20th September, 1937, ordering the location of additional police in an area comprised of 27 villages in the Gujrat district, including Mandi Baha-ud-Din. About 1/24th of the total cost will be recovered from that town.

(b) The inhabitants of Mandi Baha-ud-Din other than those belonging to the Sikh community have been exempted from liability.

(c) There has been no discrimination. The principle followed is that persons of whatever community who were not in any way involved in the

communal riots at Ala last June should not be called upon to contribute to the cost of additional police.

**Pandit Muni Lal Kalia :** Was any enquiry launched with regard to part (c) about the liability of the non-Sikh population of the Mandi ?

**Parliamentary Secretary :** The local authorities did make an enquiry about that and it was on their report that this amount has been distributed.

**Pandit Muni Lal Kalia :** Was that enquiry made on the initiation of the Government or was it made by the authorities themselves ?

**Parliamentary Secretary :** The enquiry was made by local authorities and the Government approved of this proposal.

**Pandit Muni Lal Kalia :** Was it made by the authorities themselves or was it made at the initiation of Government ?

**Parliamentary Secretary :** I have already replied to that.

**Sardar Partab Singh :** Will the Parliamentary Secretary be pleased to lay on the table of the House the report of the enquiry ?

**Parliamentary Secretary :** I have not followed the question.

**Mr. Speaker :** The question is whether the Parliamentary Secretary is prepared to lay on the table of the House the report of the enquiry.

**Parliamentary Secretary :** I want notice of that question.

**Pandit Muni Lal Kalia :** Has the answer been given without any reference to the enquiry or the file ?

**Parliamentary Secretary :** The matter was referred to the local authorities and on receiving their reply the answer was prepared.

**Pandit Muni Lal Kalia :** Why is a fresh notice required when the report has already been gone through ?

**Parliamentary Secretary :** Notice is required whether the report of the enquiry should be laid on the table of the House or not ?

**Pandit Muni Lal Kalia :** May I know on a point of information, Mr. Speaker ? Answer to a certain question is being given and that enquiry is being referred to. Does the honourable member require a fresh notice for considering whether that enquiry is relevant or not and whether it should be placed on the table of the House ?

**Mr. Speaker :** No.

#### COMMUNAL RIOTS.

\*946. **Chaudhri Kartar Singh :** Will the Honourable Premier be pleased to state—

(a) the number of communal riots and the names of the places where they took place since the present Government came into power in the Punjab ;

(b) whether Government have issued any special instructions to the deputy commissioners to check these communal riots ?

**Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) :** (a) 14. At Kot Fateh Khan (Attock district), Khewa, Harriah and Ala (Gujrat district), Ujina and Rewari (Gurgaon district), Amritsar, Jandiala Sber Khan, Jhewar Kotli and Khangah Dogran (Sheikhpura district), Bhadaur (Karnal district), Sanghi (Rohtak district), Rohtak and Garhshankar (Hoshiarpur district).

(b) Yes.

**Pandit Muni Lal Kalia :** With reference to most of these communal riots at different places, has not a letter been addressed to the Premier by Master Tara Singh, President of the Shiromani Gurdwara Parbandhak Committee, to the effect that the responsibility lies on the Premier and many members of his party.

**Parliamentary Secretary :** I am not aware of that letter, but as far as we know the responsibility in most of the cases lies with the communal leaders who do not belong to the locality and who make fiery speeches and incite the people (*hear, hear*).

**Mr. Speaker :** The question which casts reflections on the Premier is out of order, and so is its answer. Therefore, both sides should stop pursuing this matter any further.

**Lala Deshbandhu Gupta :** Will the Parliamentary Secretary place on the table of the House a copy of those instructions?

**Parliamentary Secretary :** It is not in the public interest to place a copy of those instructions on the table of the House.

**Lala Deshbandhu Gupta :** Will he take the House into his confidence and let us at least know the main points emphasised in that circular.

**Parliamentary Secretary :** Officers are instructed how to deal with cases generally after the occurrence.

**Lala Deshbandhu Gupta :** Are we to take it that Government does not believe in prevention? Do those instructions contain anything about preventive measures?

**Parliamentary Secretary :** Yes. They do.

**Lala Deshbandhu Gupta :** Cannot even that part be placed on the table of the House?

**Parliamentary Secretary :** I have already stated that I cannot place the instructions on the table of the House.

**Lala Bhagat Ram Choda :** Has the attention of the Government been drawn to the fact that in most of the cases the police is held responsible for fanning the flames of the communal riots?

**Parliamentary Secretary :** Have you any proof?

#### DRINKING WATER FOR ZAIL KRARRI.

**\*947. Chaudhri Kartar Singh :** Will the Honourable Minister for Education be pleased to state whether it is a fact that there is a dearth of drinking water in zail Krarri, district Hoshiarpur; if so, whether Government have ever considered the question of removing this hardship, and in case they have done so with what result?

**The Honourable Mian Abdul Haye :** Reply to the first part of the question is in the affirmative. As to the second part, it is proposed to construct wells in two villages and repair wells in two other villages of this zail, where the scarcity of water is particularly marked, at an estimated cost of Rs. 25,181 for which a grant-in-aid of Rs. 16,788 will be given as soon as the Government of India grant for rural reconstruction is received.

TEXT BOOKS PRESCRIBED BY THE TEXT BOOK COMMITTEE.

**\*948. Sardar Hari Singh :** Will the Honourable Minister for Education be pleased to state whether he is aware of the hardships caused to the student community, in particular the poor section of it, on account of the too frequent changes in text-books prescribed by Text Book Committee under the Department of Public Instruction for Schools; if so, what steps he proposes to take to remedy the situation?

**The Honourable Mian Abdul Haye :** It has been already ordered that the approved text-books now in use in primary and middle classes of schools should not be changed until further orders except with the express permission of Government.

HONORARY MAGISTRATES.

**\*949. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) the educational and legal qualifications possessed by each of the honorary magistrates in the Punjab;
- (b) the number of cases disposed of last year by each class of these magistrates;
- (c) the total expenditure incurred by the Government last year in connexion with the entire institution of honorary magistrates;
- (d) whether the Government has considered the question of abolishing this institution of honorary magistrates?

**Minister for Finance (The Honourable Mr. Manohar Lal) :** I regret that the reply to this question is not ready.

**Lala Deshbandhu Gupta :** Shall we get it by the time of the budget session?

**Minister :** If the honourable member would kindly see to the nature of the question he will see that it is not easy to answer questions of this nature in a short period. We have to collect information regarding the educational and legal qualifications of 200 persons or more.

**Pandit Muni Lal Kalia :** Part (d) could be answered off hand.

COTTON.

**\*950. Sardar Hari Singh :** Will the Honourable Minister for Development be pleased to state—

- (a) whether he is aware of the heavy decline in the price of cotton by reason of over-production throughout the world;

[Sardar Hari Singh.]

(b) whether he is aware that the price of cotton in America has fallen as compared with that of the cotton produced here in the Punjab, thereby discouraging the export of our cotton and encouraging the import of cotton from America ;

(c) if the answers to the previous parts be in the affirmative, what steps has the Punjab Government taken or intends to take to help the cultivators in this respect ?

**The Honourable Chaudhri Sir Chhotu Ram :** (a) Government are aware that the price of cotton has fallen and that there has been an increase in production.

(b) Government are aware that, quality for quality, American cotton is cheaper than Punjab cotton.

(c) Government have already addressed the Government of India on the subject. The honourable member is reminded that in areas in which sliding scale assessment is in force assessment will decrease with the price of cotton.

**Sardar Hari Singh :** Will the Honourable Minister please state if the recommendation of the committee appointed by the All-India Congress to go into the matter has been brought to his notice ?

**Minister :** I read about that report in the press. A brief summary, I believe, only appeared in the press and I went through it.

**Sardar Hari Singh :** Has he considered those recommendations ?

**Minister :** No.

**Seth Ram Naran Virmani :** Has the Punjab Government represented to the Government of India to adopt some measures to stop the import of cotton ?

**Minister :** I am not prepared to give any indication as to the trend of that communication.

**Sardar Hari Singh :** What has the Honourable Minister written to the Government of India ? Will he give an indication ?

**Minister :** I have already answered that query.

#### LICENCES FOR LORRY SERVICE ON HOSHIARPUR-DHARAMSALA ROAD.

**\*951. Sardar Hari Singh :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that in connexion with the recent grant of licences for lorry service on Hoshiarpur-Dharamsala road, no tenders were invited ; if not, why not ;

(b) whether it is a fact that recently licenses of those lorry owners, who had announced reduction in fare from 9 pies to 6 pies per mile on the said road, have been cancelled ; if so, the reasons therefor ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes. Tenders are not normally called for when vacancies on this route are filled.

(b) The Deputy Commissioner, Hoshiarpur, recently cancelled the endorsements enabling certain owners to ply on the Hoshiarpur-Bharwain route. In making this decision he was influenced solely by the misbehaviour of the persons concerned and no question of rate-cutting was taken into consideration. The new endorsement holders provide a service at six pies per passenger mile over a part of the route.

**Sardar Hari Singh :** Will the Honourable Minister please state the nature of misbehaviour referred to in this answer ?

**Minister :** I will give you an inkling into one case only. A gentleman—I will not name him—was given the permission to carry rail-cum-road passengers on the condition that he would get his lorries insured against the third party risk. He cheated the railway authorities by giving false information that he had done so.

**An Honourable Member :** Was the insuring of the lorries a condition precedent to the grant of the licence ?

**Minister :** I have already replied to that question.

\*952. *Cancelled.*

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CHAUDHRI SIRI CHAND, ADVOCATE, ROHTAK.

\*953. **Pandit Shri Ram Sharma :** Will the Honourable Finance Minister be pleased to state—

- (a) whether the name of Chaudhri Siri Chand, Advocate, Rohtak, is included in the list of candidates for Public Prosecutorship ;
- (b) whether more than one district magistrate reported that his name should be deleted from the list referred to in (a) ; if so, on what grounds ;
- (c) whether the Government is prepared to lay those reports on the table of the House ;
- (d) whether the Government intends to appoint Chaudhri Siri Chand as a Public Prosecutor in the near future ?

**The Honourable Mr. Manohar Lal :** (a) No list of Public Prosecutor candidates is now maintained.

(b) and (c) Reports of this kind are always regarded as confidential and I regret that their substance cannot be disclosed.

(d) There is no such proposal.

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BALLABGARH POLITICAL CONFERENCE.

\*954. **Pandit Shri Ram Sharma :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that on the occasion of the Balabgarh Political Conference held on 12th and 13th September, 1937, a few mischief mongers with union jacks in their hands tried to provoke the gathering in front of the Pindal of the Conference ;
- (b) whether it is a fact that they shouted out cries, e.g., " Congress Murda Bad ", and other indecent slogans ;
- (c) whether it is a fact that a strong protest was made against this hostile demonstration both from the platform of the Conference and in the local papers ;

[Pandit Shri Ram Sharma.]

(d) the action taken by the authorities of district Gurgaon in this matter ?

**Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majithia) :** (a) It seems that on the 18th September, 1937, the Kisan Sabha, Ballabgarh, took out a procession which passed in front of the Congress *pandal*. The processionists, some of whom carried Union Jacks, made no attempt to provoke the Congress gathering. It is incorrect to say that the procession consisted of mischief-mongers.

(b) No.

(c) A protest was made at the conference the same day, but Government understand that the organisers of the conference were annoyed not at any alleged hostile demonstration, but because most of the people of the town had joined the Kisan Sabha procession and only a few persons were left to attend the Conference.

(d) There was no cause for action by the district authorities.

**Pandit Shri Ram Sharma :** I wish to enquire which officer made the enquiry. Was it a police or a civil officer ?

**Chaudhri Muhammad Shafi Ali Khan :** Is it a fact that Congressmen very often organise against other parties or their leaders the kind of demonstration which the Kisan Sabha of Ballabgarh is alleged in this question to have done against the Ballabgarh Political Conference.

**Khan Bahadur Mian Ahmad Yar Khan Daulatana :** We all know it.

**Sultan Mahmud Hotiana :** Sir, when the Congress holds parades against the Unionists so often, why should it squeal against the Unionists when they hold demonstrations against them ?

**Pandit Muni Lal Kalia :** Sir, can an honourable member read out a supplementary question ? Is he in order in doing so ?

**An Honourable Member :** Yes. I heard another supplementary question being read out only a minute ago.

**Mr. Speaker :** Honourable members cannot read written speeches, but there is no such restriction in the case of questions. When written answers are read out, why cannot questions also be read ?

**Pandit Shri Ram Sharma :** I want to know whether the officer who made the investigation was a police officer or a civil officer.

**Parliamentary Secretary :** The inquiry was made by a local officer, but if the honourable member asks me to furnish him definite information, I will do so if he gives notice.

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NATHAN SINGH, JAT, OF VILLAGE BANCHARI.

**\*955. Pandit Shri Ram Sharma :** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that in village Banchari, district Gurgaon, when the procession of the national flag was taken out on 26th September, 1937, Nathan Singh, jat, a member of the local

district board, at the head of a crowd, unlawfully hindered the procession ;

(b) whether it is a fact that he and his followers beat a few local congressites and declared that they were ordered by the Deputy Commissioner and district authorities to do so ;

(c) whether it is a fact that the district authorities had issued such orders to the aforesaid person ;

(d) whether this incident was reported by any one to the district authorities ; if so, the action taken by them in the matter ?

**Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) :** (a), (b), (c), (d) No.

**Pandit Shri Ram Sharma :** Who prepared this report ?

**Parliamentary Secretary :** I do not want to add anything to what I have already said.

**Lala Deshbandhu Gupta :** Is it also not in the public interest to divulge the name of the officer ?

**Parliamentary Secretary :** That is not a supplementary question to the answer given.

**Pandit Shri Ram Sharma :** In this connection I want to know on what information this investigation is based on which all the four parts of the question have received the reply in the negative ?

**Pandit Shri Ram Sharma :** Did the Government depute some officer to investigate the matter and, if so, what is the designation of that officer ?

**Parliamentary Secretary :** How could I have said 'no' unless I had made the enquiries.

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SUPERINTENDENT, DEPUTY COMMISSIONER'S OFFICE, ROHTAK.

**\*956. Pandit Shri Ram Sharma :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether the Deputy Commissioner, Rohtak, has received any complaint on 5th October, 1937, against the Superintendent of his office made by a member of the Punjab Legislative Assembly ;

(b) whether some particular facts were mentioned in the complaint mentioned in (a) above ; and whether any departmental inquiry was held in the matter ; if so, the result thereof ; if not why not ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) *First part, Second part.*—Yes.

*Third Part.*—The allegations were not found to be correct.

*Fourth part.*—Does not arise.

**Pandit Shri Ram Sharma :** Is it a fact that the Deputy Commissioner of Rohtak himself investigated this matter ?

**Minister :** The Deputy Commissioner of Rohtak must have made the necessary inquiries into the matter and when the question was sent to him for information he has supplied certain information to Government from which this reply has been formulated.

**Pandit Shri Ram Sharma :** So it means that the Government does not possess complete information about this matter. The Revenue Minister obviously does not know whether the investigation was made by the Deputy Commissioner himself or not.

**Minister :** I cannot add anything to what I have already stated in answer to this question.

**Lala Deshbandhu Gupta :** Will the Government please conduct further investigations and find out whether the Deputy Commissioner did make any inquiry ?

**Minister :** I think it is unnecessary.

**Pandit Shri Ram Sharma :** Was it the Deputy Commissioner himself who made the enquiry. ?

**Minister :** I think my friend ought to understand that the Deputy Commissioner must have followed the ordinary procedure that is open to him.

**Pandit Shri Ram Sharma :** But I want to know if actually the Deputy Commissioner did so ?

**Minister :** I cannot add anything more to the reply that I have already given.

#### PARTAP, SON OF MURARI, OF DELHI.

**\*957. Pandit Shri Ram Sharma :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that in July last the local police took a young jat named Partap, son of Murari, of Mohalla Dehri, Rohtak, into custody under suspicion and beat him mercilessly ;
- (b) whether it is a fact that this matter was immediately reported to the Superintendent, Police, Rohtak ;
- (c) whether this young man was medically examined ;
- (d) whether any departmental inquiry was held into the matter ; if so, the result of the inquiry and the action taken in the matter by the Government ?

**Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh):** (a) The attendance of the person named was required by the Rohtak City Police on the 27th July and again on the 28th July in connection with the investigation of a case under section 379, Indian Penal Code. He was not taken into custody nor was he beaten by the police.

(b) On the 30th July a complaint of alleged beating was made to the Superintendent of Police. Under his orders a case was registered under section 330, Indian Penal Code, and a thorough investigation was made by the District Inspector under the supervision of the Deputy Superintendent of Police. This showed that the complaint was false, and the case was cancelled by the Additional District Magistrate.

(c) Yes.

(d) The matter having been made the subject of a regular investigation under the Code, no departmental proceedings were taken.

**Pandit Shri Ram Sharma :** May I enquire whether this matter was investigated by the police or whether it was brought before a magistrate ?

**Parliamentary Secretary :** I have already stated. The matter was enquired into by the District Inspector of Police under the supervision of the Deputy Superintendent of Police.

**Pandit Shri Ram Sharma :** Does it mean that the matter was not entrusted to a magistrate ?

**Parliamentary Secretary :** The case was entrusted to Additional District Magistrate under section 330, Indian Penal Code.

**Pandit Shri Ram Sharma :** May I know the decision arrived at by the Deputy Commissioner after he had conducted the departmental enquiry ?

**Parliamentary Secretary :** The case was then cancelled by the Additional District Magistrate after the investigation was made by the District Superintendent of Police.

#### MURDER OF FAQIRIA OF VILLAGE BHOPALI.

**\*958. Pandit Shri Ram Sharma :** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that on the night of 27th/28th May, 1937, a man named Faqiria, Faqir, was murdered in village Bhopali, thana and tahsil Balabgarh, district Gurgaon ;

(b) whether one of the suspects confessed his guilt before the Police Sub-Inspector ;

(c) whether the matter was hushed up and no further action has since been taken ;

(d) whether the wife of the deceased has sent several representations to the higher authorities imploring that the matter may be inquired into ;

(e) the action, if any, taken on those representations ?

**Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) :** (a) No. The person named committed suicide, on the night of the 28th/29th May. The suicide was reported at the police station by the village watchman on the same night.

(b) No.

(c) No. A regular investigation was made by the Station House Officer under section 174 of the Code of Criminal Procedure.

(d) and (e) A representation was made by the widow to the Deputy Commissioner. On this further enquiries were made by a gazetted police officer. These confirmed the original findings that the case was one of suicide. The widow also lodged a complaint in court under section 302, Indian Penal Code, which was dismissed for want of proof.

## MUNICIPAL ELECTIONS, FARIDABAD.

**\*959. Pandit Shri Ram Sharma :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that on the occasion of the last municipal elections of Faridabad (Gurgaon) the voters of ward No. 2, General, were taken to the police station by the police in uniform on the eve of the election ;
- (b) whether they were kept at the police station for three hours ;
- (c) the result of the representation made to the higher authorities by the voters ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) and (b) : No.

(c) Only one representation seems to have been made to the authorities, and this apparently by a single individual. Inquiries were made by the Deputy Commissioner which showed the allegations in this representation to be entirely unjustified.

## PRESIDENT, SMALL TOWN COMMITTEE, GURGAON.

**\*960. Pandit Shri Ram Sharma :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that on September 5, 1937, the official president of the Small Town Committee, Gurgaon, maltreated the crier who announced a congress meeting ;
- (b) whether he also insulted the secretary of the local congress committee ;
- (c) whether at the meeting held in the evening on the same day a resolution was passed against the above-mentioned act of the president and the public demanded that the matter may be investigated departmentally ?
- (d) the action the Government has taken in this matter, if *no action* has been taken the reasons therefor ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a), (b), (c) : Government have no information.

(d) Does not arise.

## SECRETARY, MUNICIPAL COMMITTEE, BALABHGARH.

**\*961. Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that the Municipal Committee, Balabhgarh, by their resolution No. 3, of 16th June, 1937, dispensed with the services of their temporary secretary ;
- (b) whether the Deputy Commissioner, Gurgaon, in exercise of his special powers set aside the resolution referred to in (a) and re-appointed the above-mentioned secretary for one year more ;

(c) whether the municipal committee on the 7th July, 1937, again decided by a resolution to dispense with the services of the said secretary ;

(d) whether in this connexion the Government received any representation from the people of Balabh Garh through Lala Chandan Lal ; if so, the action taken on it ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) Yes, the committee resolved not to confirm the secretary in his appointment.

(b) Yes, the Deputy Commissioner suspended the resolution and postponed the question of the secretary's confirmation for a period of one year.

(c) Yes.

(d) Yes, but Government do not propose to take any action.

DISTRICT ENGINEER, DISTRICT BOARD, HISSAR.

**\*962. Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that the district engineer, district board, Hissar, is also acting as a municipal engineer for municipal committee, Hansi, district Hissar ;

(b) whether any member of municipal committee, Hansi, made any report on 7th April, 1937, against the district engineer, about the purchase of Road Tar for municipal committee, Hansi, in 1935-36, when the municipal committee, Hansi, was under suspension ; if so, whether the Government is prepared to lay that complaint on the table ;

(c) whether it is a fact that Road Tar Shalimar No. 2 was supplied from Calcutta to Public Works Department, Punjab, for Hissar district, at the rate of Rs. 117-8-0 per ton F. O. R., in 1935-36, while the district engineer purchased the same Road Tar at the rate of Rs. 132 and Rs. 130 F. O. R. for municipal committee, Hansi, in 1935-36 ;

(d) at what rate the same Road Tar was purchased by municipal committee, Rohtak, municipal committee, Karnal and district board, Karnal, and at what rates the Public Works Department, Punjab, got this Road Tar for these places respectively, in 1935-36 ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) Yes.

(b) Yes. A copy of the complaint is laid on the table.

(c) Yes, but Shalimar Road Tar was supplied from Pathardahi to Public Works Department, Punjab.

(d) Municipal committee, Rohtak, at the rate of Rs. 122-8-0 per ton F. O. R., municipal committee, Karnal at Rs. 122 per ton F. O. R. and district board, Karnal at Rs. 121 per ton F. O. R. The Public Works

## [Minister for Public Works.]

Department Punjab got this road tar at the rate of Rs. 117-8-0 per ton F. O. R. Rohtak and at Rs. 95 per ton for Karnal, but the freight was paid by the consignee.

*Copy of the complaint by Mr. Ram Parshad Sharma, member, municipal committee, Hansi, to the President, municipal committee, Hansi.*

As a member of the select committee appointed by municipal committee, Hansi, by its resolution, dated 14th March, 1937, for the purpose of considering the advisability of continuing or discontinuing the services of Mr. P. S. Advani, District Engineer, Hissar, as a supervisor of municipal works, Hansi, I submit my report as follows:—

In February, 1937, when the Budget of the next year for Municipal Committee, Hansi, was being discussed in a special meeting of the committee it was almost unanimously resolved that the services of Mr. P. S. Advani be dispensed with, with effect from 1st April, 1937, as all the other municipalities in Hissar district are doing without him. The matter was brought to the notice of the Deputy Commissioner, Hissar, who advised the committee not to discontinue the services of the district engineer, and to reconsider the matter. The Deputy Commissioner made this suggestion simply because he believed that the interest of the Committee needed the services of the Engineer.

When again the matter came in the general meeting on 14th March, 1937, a select Committee consisting of Lala Kali Charan, Shaikh Abdul Rahman and myself was appointed to go through the matter and to report whether it is useful to have the services of the Engineer or not.

The first meeting of the committee was fixed for 21st March, 1937, but excepting myself, none of the members turned up at the appointed time and the meeting had to be postponed to 4th April, 1937. On 30th March, 1937, a note signed by the other two members was put up in the general meeting suggesting that the services of Mr. P. S. Advani, be continued. An objection was raised by me that these members of the select committee should not have made a report without holding a meeting and that it should not be considered as a report of the select committee. On this Lala Kali Charan frankly admitted that the note was written without holding any meeting and that therefore it should not be taken as a report of the select committee. This shows how under-hand dealings take place regarding the municipal affairs.

The matter no doubt has been decided by the committee but I consider it my honest duty to submit my report which I am doing hereby.

I examined the files of the committee regarding the municipal works and actually measured the work of pavement in one street. It was found all correct, excepting the entry of bogus rates which was apparently done for the purpose of showing bogus savings with a view to mislead the higher authorities. On examining the files of the purchase of Tar for municipal committee roads, it was found that from July, 1935, to May, 1936, road Tar Shalimar No. 2 worth Rs. 7,561 was purchased by Municipal Committee, Hansi, as detailed below:—

				Rs.	A.	P.
Vide bill, dated 10th July, 1935	..	..	..	2,370	10	0
Vide bill, dated 12th November, 1935	..	..	..	1,761	0	0
Vide bill, dated 12th May, 1936	..	..	..	3,475	1	0
Total				7,561	11	0

In the 1st two bills price at the rate of Rs. 132 per ton has been charged, while in third bill it is Rs. 131 per ton. From the record it is clear that the rates were settled by Mr. P. S. Advani, vide letter No. 252, dated 17th June, 1935, from Municipal Committee, Hansi, to the Tar Company, where, in it is written, "we agree to the purchase of Shalimar Tar No. 2 at the quotations given by you to the District Engineer." Later on as well Mr. P. S. Advani asked the municipal committee, Hansi, in writing to place an order with the Shalimar Tar Products, Limited,—vide his letters on the file.

On the file there is a letter from Sri Kishen Lal Budhwar to the Secretary, Municipal Committee, Hansi, which shows that he also had some hand in the matter. This gentleman is neither an employee of Municipal Committee, Hansi, nor a contractor of this municipality. He has never before supplied anything to Municipal Committee, Hansi, nor he has ever been a dealer in tar. It is an open secret that this gentleman is a personal friend of Mr. P. S. Advani, when the quotations were supplied direct to the District Engineer, the existence of this unnecessary intermediary led me to suspicion. On enquiry I found that the rate of this very Tar was Rs. 117-8-0 per ton F. O. R. Hansi and Hissar during the period and the same may be verified from the office of the Sub-Divisional Officer, Public Works Department, Hissar. On 23rd March, 1937, while I was at Lahore, I thought it fit to find out the truth in the matter and therefore I went to the office of the Shalimar Tar Company at Lahore and saw Sardar Gurdial Singh, Road Engineer, of the Company. On enquiry I found that in spite of the fact that at present, the freight charges have been increased by Rs. 2-8-0 per ton, the Company was prepared to supply as Shalimar Tar No. 2 at the rate of about Rs. 122 F. O. R. Hansi.

Again on 26th March, 1937, I wrote a letter to the same Company asking them to supply Tar at Rs. 120 per ton, the copy of which is attached herewith, although I have not received any reply as yet. My inquiry has led me to a conclusion that a commission of Rs. 10 per cent. has been made out in this bargain which means a clear loss of about Rs. 756 to the Municipal Committee, Hansi, within a short period of 10 months. The district engineer who was in charge of all this is directly responsible for this, if it is not intentional then he is surely guilty of gross negligence.

One of the chief reasons of the defective working of local bodies, is the existence of such like things and it is the honest duty of each and every member to eradicate this evil whenever and wherever they find it out.

Apart from the above let us see whether there is really any necessity of keeping the services of an engineer. In the next budget we have laid aside Rs. 19,000 for public works. Out of this sum Rs. 8,000 are meant for street pavement. This work is most simple, we have got a qualified sub-overseer and there is absolutely no necessity of any technical advice for this work.

The remaining Rs. 13,000 are reserved for roads. All the roads are to be tarred. The Tar Supply Company undertakes to supervise the road works free of any charge whenever there is any necessity.

There is no other work under contemplation. Under these circumstances in my opinion there is also absolutely no necessity of having the services of any engineer and his keeping in the service would be a sheer waste of the public money.

In my opinion the Committee, Hansi, has been defrauded of about Rs. 756 within a short period of 10 months and it is a fit case for enquiry, so that such frauds are not repeated.

*Copy of a letter, dated 26th March, 1937, from Ram Parshad Sharma, B.A., LL.B., Municipal Commissioner, Hansi, to Sardar Gurdial Singh Sahib, Road Engineer, Shalimar Tar Company, Lahore.*

Reference my talk with you at Lahore on 23rd March, 1937. As I told you some tar is required for Municipal Committee Hansi road, and quotations from several other companies have been sent for. Please let me know the minimum rate at which you are prepared to supply Shalimar Tar No. 2 F. O. R. Hansi.

I shall again request you to note that the benefit of Municipal Committee, Hansi, shall be the only determining factor in the purchase of the tar, and therefore it shall be difficult for Municipal Committee, Hansi, to accept your rate which is not near about Rs. 120 per ton. Please send me your quotations by 31st March, 1937.

SHEIKH RAHMAT ILAHI AND MUNICIPAL COMMITTEE, RUPAR.

**\*963. Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that one Sheikh Rahmat Ilahi, a member of municipal committee, Rupar, was found guilty under section 78 of the Punjab Municipal Act and was sentenced to a fine of Rs. 30 ;
- (b) whether he appealed to the High Court, if so, with what result ;

[Pandit Shri Ram Sharma.]

- (c) whether he was asked to resign or was removed from membership ;
- (d) whether it is a fact that he has been elected to the committee, this time unopposed; if so, whether his disqualification was removed by the Government ;
- (e) if the answer to the latter part of (d) above be in the affirmative, reasons for the same ; and whether the Government intends to gazette his name ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a), (b) and (c) The honourable member is referred to the reply given to his question No. \*379<sup>1</sup>.

(d) Sheikh Rahmat Iahi has been re-elected as a member. The question of removal of disqualification did not arise.

(e) as in (a) His election as a member has already been notified in the Gazette.

TAHSILDAR OF NUH (GURGAON).

**\*964. Pandit Shri Ram Sharma :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether the Government is aware of the fact that the Tahsildar of Nuh (Gurgaon) who is now transferred to Ballab Garh, in realizing the taqavi loans on 26th March, 1937, committed certain excesses on the zamindars of village Bhain ;
- (b) whether the Government received a complaint from the zamindars in this connexion ;
- (c) whether the Government is prepared to place that application on the table of the House ;
- (d) the action the Government proposes to take in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) The allegation is not correct.

(b) No.

(c) and (d) Do not arise.

MUSSAMMAT ISHAR KAUR OF VILLAGE RAIPUR.

**\*965. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that one Mussammat Ishar Kaur of village Raipur, thana Morinda, district Ambala, was found dead on the out-skirts of the said village on 5th August, 1936, under suspicious circumstances ;
- (b) whether a *post-mortem* examination of the dead body was held at Rupar on 7th August, 1936 ; if so, the result of that examination ;
- (c) whether it is a fact that Sardar Chanan Singh, Dispenser, Infectious Diseases Hospital, Simla, and son of the deceased Ishar

Kaur, applied to the Civil Surgeon and the Deputy Commissioner, Ambala, for a copy of the result of the *post-mortem* examination of the dead body ;

- (d) whether it is also a fact that the said Sardar Chanan Singh has not so far been granted a copy of the required document ; if so, the reasons for the same ;
- (e) whether it is a fact that Sardar Chanan Singh went to the police station concerned to have his complaint regarding the death of his mother under suspicious circumstances recorded, and the police refused to take down his report ;
- (f) whether the said Chanan Singh complained to the higher authorities of foul play in connexion with the death of his mother ;
- (g) the action, if any, that the Government proposes to take in the matter ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) Yes.

(b) Yes. The *post-mortem* examination revealed that the death was due to heart failure.

(c) Yes.

(d) He was directed to make his application for the copy to the Assistant Surgeon, Rupar. It appears that he failed to do so.

(e) No. The facts are that the person named went to the police station and stated in writing that he had no report to make, and that he would make a representation to the Superintendent of Police.

(f) Yes, but the enquiry made under section 174 of the Code of Criminal Procedure did not support his complaint of foul play.

(g) The case has already been carefully investigated in accordance with the prescribed procedure, and it is not intended to take further proceedings.

#### ARREST AND CONVICTIONS IN HOSHIARPUR DISTRICT.

**\*966. Sardar Hari Singh :** Will the Honourable Premier be pleased to state the number of arrests and convictions made on political grounds in the district of Hoshiarpur since 1st April last ?

**The Honourable Major Sir Sikander Hyat-Khan :** If by the term 'on political grounds' the offences of sedition and incitement to violence are intended, the number of persons arrested for such offences in the Hoshiarpur district since the 1st April, 1937, was 4 and of convictions, 3.

#### ILLEGAL DETENTION OF SARDAR GURMUKH SINGH, AMARJIT SINGH, ETC.

**\*967. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) whether he is aware that Sardars Gurmukh Singh, Amarjit Singh, Narain Singh and Bhagat Singh, four socialist workers, were detained by the Sub-Inspector incharge of Police station

[8. Hari Singh.]

Barsar, district Kangra, on 27th July, 1937, while on their way back from Kulu to Hoshiarpur ;

(b) whether it is a fact that they were detained for three hours after they had given full particulars as to their addresses, destination, etc. ;

(c) if answers to parts (a) and (b) be in the affirmative, the action that the Government proposes to take to prevent the recurrence of such untoward happenings in future ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) No. The four persons were strangers to the locality and the Sub-Inspector, Barsar, merely questioned them to ascertain who they were.

(b) No.

(c) Does not arise.

**\*968—76.—Cancelled.**

#### GRANTS OF LANDS TO EDUCATED YOUNG MEN.

**\*977. Sardar Hari Singh :** Will the Honourable Minister for Revenue be pleased to state whether the present Punjab Government has reconsidered the question of grants of lands to educated young men and has made any modification in the rules governing such grants; if so, what are the modifications ?

**The Honourable Dr. Sir Sundar Singh Majithia :** The answer is in the negative, the second part of the question does not therefore arise.

#### SECURITIES OF NEWSPAPERS.

**\*978. Sardar Hari Singh :** Will the Honourable Premier be pleased to state whether the Punjab Government has considered the question of returning the securities of newspapers in the Punjab deposited with it ; if so, with what result ?

**The Honourable Major Sir Sikander Hyat-Khan :** Yes. The securities of the *Zamindar* and the *Karam Vir* have been refunded.

#### SUB-INSPECTORS IN LUDHIANA DISTRICT.

**\*979. Chaudhri Muhammad Hasan :** Will the Honourable Premier be pleased to state—

(a) the number of selection grade sub-inspectors in the Ludhiana district ;

(b) the place of posting and the time of posting of each of them ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) Four.

(b) A statement is laid on the table.

*Statement.*

Serial No.	Name.	Place of posting.	Date of posting.
1	2	3	4
1	Munshi Nasir-ud-Din Ahmad Khan, No. E-56.	Police Station Dakha.	18th November, 1937.
2	Lala Hans Raj, No. E-159	Police Station Khanna.	16th November, 1937.
3	Munshi Muhammad Ishaq Khan, No. E-251.	Police Station Jagraon.	25th July, 1937.
4	Chaudhri Sultan Ahmad Khan, No. E-79. (Promoted to the selection grade with effect from the 1st December, 1937.)	Police Station Sadr Ludhiana.	29th April, 1936.

GRIEVANCES OF OWNERS OF VEHICLES.

**\*980. Sardar Hari Singh :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether he is aware of the grievances that the owners and drivers of lorries and other motor vehicles which are plying on hire generally have in respect of the system of a much too frequent inspection and the treatment meted out to them by the Traffic Inspectors ;

(b) if so, whether he intends to appoint a committee to inquire into these grievances ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) The rules require that every public motor vehicle shall normally be inspected once a quarter, but allow the District Magistrate in certain cases to reduce the number of inspections from four a year to two a year. Experience shows that if the frequency of inspections was reduced the result would certainly be that vehicles would be used on the road in an unsound condition, with consequent inconvenience and danger to the public.

Efforts are constantly being made by Government to ensure that the inspections are carried out with the least possible inconvenience to the owners, and any complaints against the official staff are examined most carefully by the Assistant Inspector-General in charge.

(b) No.

## LAND REVENUE REMITTED BY GURBAKHSH SINGH.

**\*981. Sardar Hari Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that Gurbakhsh Singh, son of Sardar Ram Singh, remitted to lambardar Pashaura Singh of Mahilpur, district Hoshiarpur, the sum of Rs. 7-8-0 by money order on 16th June last as the amount of land revenue for the last instalment ;
- (b) whether it is a fact that the said lambardar refused to receive the said amount ; if so, why ;
- (c) whether complaints regarding the same were made to the Collector or the Tahsildar concerned and they also wanted that land revenue plus *malba* should be paid to the lambardar ;
- (d) whether the said lambardar paid into the Government Treasury land revenue for the last instalment due from Sardar Gurbakhsh Singh, son of Sardar Ram Singh ; if so, the amount paid ;
- (e) the rule under which a lambardar can refuse to receive payment of land revenue if it is not accompanied with *malba* ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) Yes. For reasons best known to the lambardar himself.

(c) An application was presented by S. Gurbakhsh Singh and a few others of village Mahilpur to the local officers, praying that the realization of *malba* be discontinued. The applicants were advised that *malba* was payable by them and that the best course for them was to pay up.

(d) Rs. 6-12-6, after deducting the amount retainable by him.

(e) There is no such rule.

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COMMANDED AND UNCOMMANDED AREA ON BALAMBA MINOR, DISTRICT ROHTAK.

**\*982. Pandit Shri Ram Sharma :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the commanded and uncommanded area of land on Balamba Minor in district Rohtak ;
- (b) whether it is a fact that 1,160 bighas of the area of land shown as uncommanded is irrigated ; if so, reasons for showing this area as uncommanded ;
- (c) whether the zamindars of this area are being supplied with water in accordance with Irrigation Rules ;
- (d) the area irrigated on the outlets Nos. 17790, on the right side, 19500 in the centre and 19500 on the left side of the same minor ;
- (e) whether it is a fact that the mouth of the above-mentioned minor has been recently made narrow with the result that the outlets cannot get a sufficient quantity of water ; if so, the action Government proposes to take in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) 2,362 acres and 2,511 acres respectively.

(b) No. Only 245 bighas are shown as uncommanded which can be irrigated. In the original *chakbandi* this area was not commanded but due to rise in water level it is now commanded.

(c) Yes ; irrigation is being done by arrangement with other shareholders.

(d) In Kharif 1937, irrigation from the three outlets was :—

Outlet at R. D. 17,790 Right .. 181 acres against permissible area of 96 acres.

Outlet at R. D. 19,500 Left .. 27 acres against permissible area of 32 acres.

Outlet at R. D. 19,500 Centre .. 67 acres against permissible area of 63½ acres.

(e) No ; the head has been remodelled to comply with the silted condition in the channel.

#### MEASURES AGAINST DRINKING.

**\*983. Pandit Shri Ram Sharma :** Will the Honourable Minister of Revenue be pleased to state whether the Government intends to adopt any measures against the sale and use of alcoholic beverages ; if so, what and when ; if not, why not ?

**The Honourable Dr. Sir Sundar Singh Majithia :** The policy of Government in regard to the sale and use of alcoholic beverages is laid down in paragraphs 1·6 and 1·7 of the Punjab Excise Manual, Volume III. Consumption in moderation is not prohibited, but consumption in excess is discouraged. To this end a special staff is maintained, who are charged with the suppression of illicit traffic and close supervision over licit sales. The latter are, moreover, restricted to minimum requirements, and Government will always welcome the formation of public opinion unfavourable to the consumption of alcoholic beverages generally.

#### TAWAN FOR FILLING UP A VILLAGE POND.

**\*984. Pandit Shri Ram Sharma :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether both the price of water and *Tawan* were charged from the zamindars of village Kharak Jattan in Rohtak irrigation division for filling up a recognized pond of the village ;

(b) whether according to the rules of the Irrigation Department both the price of the water and *Tawan* can be charged for filling up a recognized pond ;

(c) whether the Government intends to refund the amount of *Tawan* to the zamindars of the said village ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) and (b) No.

(c) Does not arise.

## CLOSURE OF OUTLETS ON THE BHIWANI BRANCH.

**\*985. Pandit Shri Ram Sharma :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that on the Bhiwani branch in Rohtak irrigation division many outlets were suddenly closed in the year 1936-37; if so, their number and the period for which they remained closed;
- (b) the reasons for closing and then re-opening them;
- (c) the manner in which the zamindars who suffered loss from their closure are to be compensated and the steps the Government proposes to take in the matter?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes. Eight outlets were closed for periods for a few days but not exceeding 10 days in any one case.

(b) The outlets were closed because of an emergency arising out of the zamindars having continually cut the banks of the channel and the tail having been thus deprived of water.

(c) No loss was suffered as closures were short. No action is required.

## UNRECOGNISED GIRLS SCHOOL, TOHANA.

**\*986. Pandit Shri Ram Sharma :** Will the Honourable Minister for Education be pleased to state—

- (a) when the Girls' School at Tohana in Hissar district, was started;
- (b) the total number of girls reading in the school;
- (c) whether the authorities of the school have been applying for its recognition for several years;
- (d) whether Mr. H. A. C. Gill, Deputy Commissioner, Hissar, and the Assistant Inspectress of Schools of Hissar district, inspected the school and recommended it for recognition;
- (e) if the answer to (d) be in the affirmative, reasons for not recognizing it so far and whether there is any chance of its being recognized in the near future?

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

## BEGGARS IN THE PUNJAB.

**\*987. Pandit Shri Ram Sharma :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether the Government has taken a census of the beggars in this province; if so, their number;
- (b) whether the Government intends to enact a law against beggary if so, when, if not, why not?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) No. The attention of the honourable member is however invited to paragraph 169 of the Census of India, 1931 (Punjab) Report, Part I, a copy of which is laid on the table.

(b) It is not proposed to legislate against beggars for the present as it would not be practicable until some provision is made for poor houses for those who cannot get work.

*Copy of a paragraph 169 of the Census of India, 1931 (Punjab) Report, Part I.*

The unproductive occupations (sub-clause XII) show a decline especially among the number of beggars and vagrants; the latter now number 203,616 though some part of the decrease may possibly be accounted for by an increase in group 165, in which are included religious mendicants, and in group 166, which includes servants of religious edifices. But even if the whole increase in those two groups were due to the inclusion of beggars, which is improbable, beggars it is satisfactory to note have decreased by 29,570 or by 11·8 per cent. Beggars and vagrants still form 7 per mille of the total population, but in this connection it has to be borne in mind that unlike the rest of the population in their case almost every male, female or child is a 'worker.'

SAYAD MUTTALABI, PRESIDENT OF FARIDABAD MUNICIPAL COMMITTEE.

**\*988. Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether the Government is aware of the fact that Sayad Muttalabi has been elected president of the Faridabad municipal committee;

(b) the reasons for the unusual delay in gazetting his name so far?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** Sayad Muttalabi was elected president of the municipal committee of Faridabad, but his election was not approved by the Commissioner, Ambala division, under section 20 of the Punjab Municipal Act, 1911. The Commissioner appointed the Tahsildar, Ballabgarh, as president of the said committee on the 13th December, 1937.

CONTRACTORS OF THE PUBLIC WORKS DEPARTMENT, BUILDINGS AND ROADS BRANCH.

**\*989. Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether the Buildings and Roads Branch of the Public Works Department demand from their contractors to show that they are keeping their accounts with some recognized bank; if so, since when instructions to this effect have been issued;

(b) whether it is a fact that the Building and Roads Branch contractors have to deposit in advance 1/10th of the total cost of the work entrusted to them for execution by way of security, and prove that they have an account with a recognized bank;

(c) if the answer to part (a) be in the affirmative, the reasons for making such a demand from the contractors?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) No.

(b) No.

(c) Does not arise.

#### POLITICAL PRISONERS.

**\*990. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Finance be pleased to state—

(a) the total number of political prisoners and detenus in this province ;

(b) the number of political prisoners or detenus in each jail ?

**The Honourable Mr. Manohar Lal :** If the honourable member will state exactly what he means by ' political prisoners ' and ' detenus,' the information required will be collected and supplied to him.

#### JAIL VISITORS.

**\*991. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Finance be pleased to state—

(a) the qualification required for being nominated as a non-official visitor of jails ;

(b) whether it is a fact that periodical remarks by non-official visitors are submitted to the Inspector-General of Prisons for information ;

(c) whether it is a fact that non-official visitors are generally appointed from amongst the people of the town where the jail happens to be situated ;

(d) the number of non-official jail visitors nominated from Ludhiana city with their names and qualifications ;

(e) since how long each non-official visitor referred to above has been nominated as such ;

(f) whether any non-official jail visitor has ever been nominated from the Jagraon and Samrala tahsils of Ludhiana ; if so, their names and qualifications ;

(g) if the answer to (f) above be in the negative, reasons for the same ;

(h) whether the superintendents of police have any hand in the nomination of non-official jail visitors ;

(i) the final recommending authority for nominations of non-official jail visitors ;

(j) the number of visits that each of the non-official jail visitors paid to the district jails, Ludhiana, with the dates of the visits and the remarks made by each of them ;

(k) whether at any time the name of a non-official jail visitor in the Ludhiana district has been removed from the list on account of negligence or misconduct ; if so, the details of such case or cases ?

**The Honourable Mr. Manohar Lal :** (a) The honourable member is referred to the answer given to question \*780<sup>1</sup> asked by Chaudhri Kartar Singh.

(b) Yes.

(c) Yes.

(d) Three—

(1) Lieutenant Aziz-ud-Din, a retired military officer and a member of the Prisoners' Aid Society.

(2) Dr. Dame E. Brown, Principal, Women's Christian Medical College, Ludhiana,—a member of the Prisoners' Aid Society.

(3) Pandit Des Raj, Advocate—a member of the Prisoners' Aid Society.

(e) No. 1 in (d) above has been a non-official jail visitor since 28th May, 1936, No. 2 since 18th August, 1934, and No. 3 since 4th June, 1937.

(f) None from the Jagraon tahsil, but two from the Samrala tahsil. Their names are—

(1) Sardar Sahib Sardar Harnam Singh, Honorary Magistrate, Khanna, tahsil Samrala, was jail visitor from the 7th December, 1934, to the 6th December, 1936.

(2) Honorary Captain Jagpal Singh, Honorary Magistrate, Samrala, since 9th December 1936.

(g) The claims of Jagraon tahsil will be considered at the time of the next vacancy, but generally it is not expedient to nominate jail visitors from distant places as no remuneration is paid to jail visitors and persons living far away take little interest in the prisoners.

(h) No.

(i) The Commissioner.

(j) The honourable member has not specified the period for which this information is required. However a statement<sup>2</sup> showing the names of non-official visitors and number of visits paid by them during 1937 (up to the 16th December) together with copies of remarks made by them is laid on the table.

(k) The following gentlemen were not recommended for reappointment as they failed to make the prescribed number of visits to the jail—

(1) S. Dasaundha Singh, M.L.A., Advocate, Ludhiana.

(2) Honorary Lieutenant Sardar Sahib Natha Singh, Honorary Magistrate.

(3) Mian Roshan Din, Municipal Commissioner.

(4) Mr. Sarab Kishan, Barrister-at-Law.

#### SHORT NOTICE QUESTIONS AND ANSWERS.

**Mr. Speaker :** There are two short notice questions on the agenda. May they be taken up now? The question hour is about to end.

<sup>1</sup>Page 30 *ante*.

<sup>2</sup>Kept in the Library.

**Pandit Muni Lal Kalia :** On a point of order Mr. Speaker. Can we proceed with the short notice questions before we finish with the questions on the list? The ordinary practice is to take up the short notice questions after the ordinary questions on the list are disposed of.

**Mr. Speaker :** Yes.

**Sardar Sampuran Singh :** On a point of order. Short notice questions cannot take precedence over other questions according to parliamentary procedure. We have to observe parliamentary procedure.

**Mr. Speaker :** If that is the pleasure of the House I have no objection. Those who support the honourable member may rise in their places.

**Sardar Sampuran Singh :** I am raising a point of order in regard to a procedure already adopted by the House of Commons. I do not want the matter to be voted upon.

**Mr. Speaker :** Ordinarily short notice questions are asked after questions on the list for the day are disposed of. But when questions on the list for the day are not finished within the time allotted for them, the House may or may not like to spare a few minutes for short notice questions.

**Sardar Sampuran Singh :** It is a question of interpretation of the procedure which has already existed for centuries in the House of Commons. Are we going to set aside that practice?

**Dr. Gopi Chand Bhargava :** May I request you to suspend that practice, because we find an occasion has come when that practice should be suspended?

*The House agreed to take up short notice questions.*

#### MUNICIPAL COMMITTEE ELECTIONS IN AMRITSAR.

**Mir Maqbool Mahmood :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether the new elections for the Amritsar Municipality are being held in accordance with the revised electoral rolls prepared by Rai Sahib Lala Nathu Ram, Municipal Elections Officer, Punjab;
- (b) what is the voting strength (according to the revised lists) and population of the various communities within the Amritsar municipal limits;
- (c) whether according to the formula of representation in vogue the revised figures of voting strength and population entitle any community to a greater or smaller representation as compared with their existing representation;
- (d) if the answer to (c) above be in the affirmative, what action does the Government propose taking in the matter?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) Yes.

(b) The revised figures of voting strength and population of various communities are as follows :—

	Voting strength.	Population strength.
1	2	3
Muslims .. .. .	29,511	132,016
Sikhs .. .. .	9,531	31,855
Hindus and others .. .. .	23,793	99,339

(c) Yes.

(d) The matter is receiving consideration of the Government.

**Lala Deshbandhu Gupta :** Is it not anomalous that Parliamentary Secretaries should ask questions? If that is allowed it should also be open to Ministers likewise to put questions pertaining to their constituencies?

**Mr. Speaker :** The point raised by the honourable Mr. Gupta deserves consideration.

**Minister :** For the future. In this case the reply has been given.

**Pandit Muni Lal Kalia :** Was not this information already with the questioner?

**Parliamentary Secretary :** May I submit that with regard to the retrospective point of order raised by my honourable friend, the rules definitely lay down as to who is a member of the Legislative Assembly. Questions can be put by the members of the House and Parliamentary Secretaries who are members of the House. I am inclined to go so far as to say that even Ministers according to those rules can ask questions except such which related to their own departments because they cannot put questions to themselves.

**Lala Deshbandhu Gupta :** The matter is not so simple. It will become very difficult for the members of this House to discriminate between the two capacities of the Parliamentary Secretaries—official and private.

**Mr. Speaker :** I will consider the point and then give my ruling.

#### DEVA SINGH, LAMBARDAR, AND THE ADJOURNMENT MOTION re POLICE RAID ON KATHANIAN.

**Khan Sahib Chaudhri Sahib Dad Khan :** Will the Honourable Premier be pleased to state whether Deva Singh of Kathanian who gave himself out as a lambardar of Kathanian and was one of the informants of the honourable member who moved the adjournment motion regarding Police raid on that village, and about whom the honourable member concerned definitely stated that he is still a lambardar, is still a lambardar and if not, when and why was he removed?

**The Honourable Dr. Sir Sundar Singh Majithia** (Revenue Minister) : Deva Singh, lambardar, of Kathanian, was dismissed in 1933 in connection with illicit distillation. He has since ceased to be a lambardar and has not been reinstated. There is no other Deva Singh, lambardar, in the village.

### UNSTARRED QUESTIONS AND ANSWERS.

SCALES OF FEES CHARGED BY DOCTORS EMPLOYED IN HOSPITALS, ETC.

**220. Lala Deshbandhu Gupta :** Will the Honourable Minister of Education be pleased to lay on the table of the House a statement showing the scales of fees which medical practitioners of different grades employed in Government and aided hospitals and dispensaries are entitled to charge from individuals requiring medical certificates for filing criminal cases and from Government servants in support of their leave applications or for certifying to their fitness to resume duty : (ii) will the Honourable Minister please further state whether Government has ever received any complaint that these medical practitioners charge higher fees for granting such certificates than what is due to them according to these rules : if so, what action do Government propose to take in the matter ?

**The Honourable Mian Abdul Haye :** (i) In the case of Indian Medical Service Officers in civil employ, the Government of India have fixed a fee of Rs. 16 for examining private medico-legal cases. For non-Indian Medical Service Civil Surgeons, Civil Assistant and Sub-Assistant Surgeons the Provincial Government have fixed the following fees :—

	Rs.
(1) Civil Surgeons .. .. .	10
(2) Assistant Surgeons .. .. .	4
(3) Sub-Assistant Surgeons .. .. .	2

Government servants examined by Government medical officers at the instance of Heads of Offices or Departments for grant of leave on medical certificate or for their fitness to resume duty are not required to pay any fee. Government have, however, not fixed any fee for issuing such certificates by Government medical officers in their private capacity.

(ii) No such complaints have been received by Government so far.

### JAGIRDARS.

**221. Lala Deshbandhu Gupta :** (a) Will the Honourable Minister of Revenue be pleased to place on the table of the House a list showing the names of all jagirdars who have had jagirs granted to them during the last twenty years ;

(b) and state whether the conferment of a jagir places its recipient under certain obligations : if so, what they are ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) The preparation of the list will involve an amount of time and trouble out of proportion to the results.

(b) Yes. The conditions are " continued good conduct and steadfast loyalty to His Majesty the King Emperor and active good service to the public or to the Government established by law in British India rendered to the best of the jagirdars' ability and power."

## RULES FOR THE RETENTION OF JAGIRS.

**222. Lala Deshbandhu Gupta :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the number of Jagirdars who have been in enjoyment of Jagirs in the Punjab for more than fifty years ;
- (b) the rules governing the retention of these old Jagirs ;
- (c) the number of those Jagirdars who have been convicted for crimes involving moral turpitude during the last ten years ;
- (d) whether Jagirs of such Jagirdars have been forfeited to Government ;
- (e) if not, what steps Government proposes to take in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** It is regretted that the answer to this question is not ready.

## WITHDRAWAL OF ADDITIONAL POLICE POST FROM VILLAGE DHARDEV.

**223. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

- (a) whether he received an application from S. Jagjit Singh, B.A., and other residents of village Dhardev in district Amritsar on the 15th October, 1937, in which they requested the Government to withdraw the Additional Police Post from their village ;
- (b) if the answer to (a) above be in the affirmative, has any inquiry been made by the Government in the matter ; if so, with what result ?

**The Honourable Major Sir Sikander Hyat-Khan :** I regret that the answer to this question is not yet ready.

## COST OF ADDITIONAL POLICE POST AT HARSE CHINNA.

**224. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state when the recoveries of the costs of the Additional Police Post located at village Harse Chinna in district Amritsar, in December, 1929, for two years were completed and what was the amount assessed for each year separately ?

**The Honourable Major Sir Sikander Hyat-Khan :** The recoveries were completed in November, 1935. The cost for each year is given below :—

				Rs.	A.	P.
First year	..	..	..	8,607	9	7
Second year	..	..	..	7,051	0	0

## REALIZATION OF TAQAVI FROM VILLAGE GHAWINDI, TAHSIL LAHORE.

**225. Dr. Sant Ram Seth :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether the enquiry referred to by him in answer to a supplementary question to question No. \*392<sup>1</sup> put by me during the last Assembly session has been completed ; if so, the result of the same ;

[Dr. Sant Ram Seth.]

- (b) whether any interest or part of the Taqavi given in 1926 was not recovered from the defaulters before the year 1936-37 ;
- (c) if the answer to (b) above be in the negative, the grounds for the same ;
- (d) whether the demand by Government in 1936 or 1937 for the payment of the said Taqavi loans was not time-barred ;
- (e) if the answer to (d) be in the affirmative, the law under which the Government was entitled to recover the Taqavi in question after the lapse of 10 years ;
- (f) whether any warrants of arrests or attachments were issued to realise the said Taqavi loans from the defaulters in 1936 and 1937 ;
- (g) if the answer to (f) above be in the affirmative, (i) the number of warrants issued for arrests, (ii) the number of warrants issued for the attachment of the properties of the defaulters, and (iii) the number of the defaulters actually put in the lock up ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes, the repayment of the taccavi loans was demanded from the zamindars of Gha-windi under the orders of the tahsildars and the Revenue Assistant, Lahore.

(b) Out of the total amount of Rs. 1942 distributed in 1926, Rs. 1,485-14-9 (Rs. 1,488-0-6 principal plus Rs. 47-14-8 interest) were recovered before 31st December, 1935 and Rs. 456-1-3 (Rs. 441-15-6 principal plus Rs. 14-1-9 interest) remained outstanding, out of which Rs. 30-15-3 are still in arrears.

- (c) Does not arise.
- (d) No.
- (e) Does not arise.
- (f) Yes.
- (g) (i) Four.
- (ii) Two.
- (iii) Four.

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ADDITIONAL POLICE POST AND REFUND OF SALE-PROCEEDS OF  
TWO HORSES.

**226. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

- (a) whether S. Jagat Singh and other inhabitants of village Rajoki, tahsil Kasur, district Lahore, submitted an application to him on the 29th October, 1937, in which they claimed a refund of the sale-proceeds of the two horses which were taken to the Police Headquarters, Lahore, after the withdrawal of the Additional Police Post on the 14th November, 1926 ;
- (b) if the answer to (a) above be in the affirmative, (i) whether he is prepared to lay on the table their original application, and (ii) whether any inquiry has been made by the Government in this matter ; if so, the result of the same ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) Yes.

(b) (i) A copy of the application is attached.

(ii) After considering the application Government have come to the conclusion that there are no sufficient grounds for re-opening this old case.

*Copy of an application, dated the 29th October, 1937, from Jagat Singh, son of Nihal Singh and others to the Honourable Premier, Government Punjab, Lahore.*

We the undersigned inhabitants of village Rajoki, Tahsil Kasur, District Lahore, beg to state as follows :—

(1) Additional Police Post was located in our village on the 15th November 1925 and was removed on the 14th November, 1926. There were two mounted police constables Pandit Nanak Chand and another Muhammadan. After the withdrawal of the aforesaid Police force two horses and other furniture which were purchased at the cost of the village inhabitants were taken to the Police Headquarters, Lahore. May we request you to award some compensation for the horses and furniture or refund the sale-proceeds of the horses and other furniture if they were auctioned.

#### RESERVE POLICE POST FORCE, AMRITSAR.

**227. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to lay on the table a statement showing—

- (a) the sanctioned strength of the foot and mounted police to be on the active list of the Reserve Police Force, Amritsar district, for the year 1935-36, 1936-37 and 1937-38 ;
- (b) the actual strength of the foot and mounted police on the active service list of the Reserve Police Force, Amritsar district, on the 1st day of every month from January, 1936 to December, 1937 ?

**The Honourable Major Sir Sikander Hyat-Khan :** There is nobody known as the Reserve Police Force of the Amritsar district, and it is not clear to what establishments the honourable member is referring. If the reference is to the First Armed Reserve and the Mounted Police, the sanctioned strengths are :—

—	Sub-Inspector.	Head Constables.	Foot Constables.
1	2	3	4
First Armed Reserve..	1	3	35

—	Sub-Inspector.	Mounted Head Constables.	Mounted Constables.
1	2	3	4
Mounted Police	1	2	20

[Premier.]

These strengths remained unaltered throughout the three years covered by the question. The figures asked for in part (b) are as follows :—

Year.	FIRST ARMED RESERVE.			MOUNTED POLICE.		
	Sub-Inspector.	Head Constables.	Foot Constables.	Sub-Inspector.	Mounted Head Constables.	Mounted Constables.
1	2	3	4	5	6	7
1st January, 1936 ..	1	3	35	1	2	20
1st February, 1936	1	3	35	1	2	20
1st March, 1936 ..	1	3	35	1	2	20
1st April, 1936 ..	1	3	35	1	2	20
1st May, 1936 ..	1	3	35	1	2	20
1st June, 1936 ..	1	3	35	1	2	20
1st July, 1936 ..	1	3	35	1	2	20
1st August, 1936 ..	1	3	35	1	2	20
1st September, 1936	1	3	35	1	2	20
1st October, 1936 ..	1	3	35	1	2	20
1st November, 1936	1	3	35	1	2	20
1st December, 1936..	1	3	35	1	2	20
1st January, 1937 ..	1	3	35	1	2	20
1st February, 1937..	1	3	35	1	2	20
1st March, 1937 ..	1	3	35	1	2	20
1st April, 1937 ..	1	3	35	1	2	20
1st May, 1937 ..	1	3	35	1	2	20
1st June, 1937 ...	1	3	35	1	2	20
1st July, 1937 ..	1	3	35	1	1*	20
1st August, 1937 ..	1	3	35	1	1	20
1st September, 1937	1		35	1	1	20
1st October, 1937 ..	1	3	35	1	1	20
1st November, 1937..	1	3	35	1	1	20
1st December, 1937..	1	3	35	1	1	20

\*One mounted head constable was granted leave from 16th June, 1937 to 15th October, 1937 and retired with effect from the 16th October, 1937. The vacancy remained unfilled for the remaining period.

## WARRANTS OF ARREST AND ATTACHMENT.

**228. Dr. Sant Ram Seth :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the number of warrants of arrest issued by the Revenue Authorities of Lahore district from 1st April, 1936 to 31st March, 1937, and 1st April, 1937 to 30th November, 1937, against the Revenue defaulters ;
- (b) the number of warrants of attachment issued by the Revenue Authorities of Lahore district against the revenue defaulters during the period mentioned in (a) above ?

**The Honourable Dr. Sir Sundar Singh Majithia :**

- (a) From 1st April, 1936 to 31st March, 1937=1,284.  
From 1st April, 1937 to 30th November, 1937=1,224.
- (b) From 1st April, 1936 to 31st March, 1937=912.  
From 1st April, 1937 to 30th November, 1937=561.

## COST OF ADDITIONAL POLICE POST AT VILLAGE SUR SINGH.

**229. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to lay on the table a statement showing—

- (a) the date when the recovery of the costs of Additional Police Post located at village Sur Singh, district Lahore, on the 15th September, 1924, was commenced ;
- (b) the amount assessed for the year 1924-25 ;
- (c) the amount recovered up to the 30th September, 1925 ;
- (d) the unrecovered amount on the 30th September, 1925 ?

**The Honourable Major Sir Sikander Hyat-Khan :** I regret that the answer to this question is not yet ready.

## COST OF ADDITIONAL POLICE POST AT VILLAGE SUR SINGH.

**230. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to lay on the table a statement showing—

- (a) the date when the recovery of the costs of Additional Police Post of village Sur Singh, district Lahore, was commenced for the year 1925-26 ;
- (b) the total estimated costs of the Additional Police Post for the year 1925-26 ;
- (c) the total amount assessed for the year 1925-26 including the arrears of 1924-25 ;
- (d) the total amount recovered up till the 30th September, 1926 ;
- (e) the unrecovered amount on the 30th September, 1926 ?

**The Honourable Major Sir Sikander Hyat-Khan :** I regret that the answer to this question is not yet ready.

## COST OF ADDITIONAL POLICE POST AT VILLAGE SUR SINGH.

**231. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state the items of costs taken into consideration by the Government while approving the report submitted by the Deputy Commissioner, Lahore, regarding the actual expenditure of the Additional Police Post of village Sur Singh, district Lahore, referred to in question No. \*361<sup>1</sup> during the last session of this Assembly ?

**The Honourable Major Sir Sikander Hyat-Khan :** I regret that the answer to this question is not yet ready.

## REFUND OF THE COST OF PUNITIVE POLICE POST, BHIKHIWIND.

**232. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

- (a) the grounds on which the refund of Rs. 5,052 was sanctioned by the Government to the inhabitants of villages Bhikhiwind, Bainka and Bler, district Lahore, regarding their claim of refund referred to in question No. \*42<sup>2</sup> during the last session of this Assembly ;
- (b) the items of costs which were taken into consideration by the Government while sanctioning the refund referred to in (a) above ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) The refund was sanctioned, as an act of grace, in view of the fact that the cost of this particular post had proved to be very much less than was originally estimated. In saying this I must ask the honourable member to realise that the circumstances of this particular case were unusual and that it is not intended to make refunds in regard to other posts where the conditions were altogether different.

(b) The figure of Rs. 5,052-3-1 was obtained by adding together the savings under the following heads :—

<i>Head.</i>	<i>Saving.</i>		
	<i>Rs.</i>	<i>A.</i>	<i>P.</i>
Pay of Establishment .. .. .	1,358	7	0
Conveyance Allowance to Sub-Inspector .. .. .	990	0	0
Rewards .. .. .	60	0	0
Contingencies .. .. .	831	9	1
Hutting charges .. .. .	1,105	3	0
Grain compensation allowance .. .. .	707	0	0
<b>Total .. .. .</b>	<b>5,052</b>	<b>3</b>	<b>1</b>

It was found convenient to calculate on the above lines, rather than to make a refund of lump sum, fixed arbitrarily ; but too much importance ought not to be attached to the details, the refund being (as already explained) a pure act of grace.

<sup>1</sup>Vol. I, pages 1271—74.

<sup>2</sup>Vol. I, pages 337—39.

## ADDITIONAL POLICE POST AT VILLAGE SUR SINGH.

**233. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

- (a) when the recovery of the costs of the Additional Police Post at village Sur Singh, district Lahore, was commenced for the years 1926-27 and 1927-28, separately ;
- (b) the total estimated costs of the Additional Police Post for the years 1926-27 and 1927-28, separately ;
- (c) the total amount assessed for the years 1927-28 and 1928-29, separately ;
- (d) the total amount recovered up till 30th September, 1928, out of the amount assessed for the year 1927-28 ;
- (e) the total amount recovered up till 30th September, 1929, out of the amount assessed for the year 1928-29 ;
- (f) the unrecovered amount of the costs referred to in (d) and (e) above on the 30th September, 1929 and 31st July, 1933 ?

**The Honourable Major Sir Sikander Hyat-Khan :** I regret that the answer to this question is not yet ready.

## ADDITIONAL POLICE POST AT VILLAGE SUR SINGH.

**234. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

- (a) when the recovery of the costs of the Additional Police Post at village Sur Singh, district Lahore, located in 1929, was commenced ;
- (b) the total amount assessed on account of the costs of the Additional Police Post referred to in (a) above between 1st January, 1930 and 30th December, 1935 ;
- (c) the amount mentioned in (b) above recovered by the end of December, 1935 ;
- (d) the unrecovered part of the amount assessed referred to in (b) above by the end of December, 1935 ?

**The Honourable Major Sir Sikander Hyat-Khan :** I regret that the answer to this question is not yet ready.

## STATEMENT RE BIHTA TRAIN DISASTER.

**Minister for Revenue** (The Honourable Dr. Sir Sundar Singh Majithia) : Sir, yesterday unfortunately a certain question was not put to this House on account of the time

12 noon.

being over. The matter being very important, with your permission I should like to make a statement to the House on that subject. This is in connection with the Bihta enquiry which is going on at the present moment.

**Sardar Hari Singh :** On a point of order, Sir. Under what Standing Order can the Honourable Minister be allowed to read a statement ?

**Mr. Speaker :** A Minister of the Crown can make a statement with the permission of the Chair and that statement is not open to discussion.

**Minister for Revenue :** The statement runs thus :

“ So far as is known the number of persons belonging to the Punjab who were killed or injured in the Bihta accident was eight and thirty-eight respectively, but about fifty of the killed are still unidentified. Details of property lost cannot be ascertained, but all articles such as bedding, luggage and other personal belongings recovered at the site of the accident are in the custody of the Deputy Magistrate in charge of Bihta Properties at Patna, to whom applications may be addressed. As regards compensation, the matter of the Railway's liability cannot be decided until completion of the judicial inquiry which is now in progress at Allahabad. In the meantime the Chief Commercial Manager of the East Indian Railway has commenced inquiries in order to ascertain the names of the immediate relatives of the deceased and other relevant particulars regarding the killed and injured and has asked for the assistance of district magistrates in this province in obtaining the required information. Claimants are advised therefore to address the Chief Commercial Manager, either direct or through the district magistrates of their districts.

“ A resolution on the subject was adopted in the Assembly in July last, but I should like to say again how deeply my colleagues and I sympathise with the sufferers in this terrible disaster. The district magistrates are being instructed to give all possible assistance to the claimants concerned, and the good offices of the Government will also be invoked for them whenever necessary.

**Dr. Gopi Chand Bhargava :** Can I ask for certain information on the statement and that is, whether the Government has given any relief to those who were afflicted there? It is not a question of compensation but by way of relief:

**Minister for Revenue :** If any cases are brought to the notice of the Government on this subject by the persons concerned, they will be looked into very sympathetically and carefully.

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#### ADJOURNMENT MOTIONS.

**Mr. Speaker :** Honourable members, I deem it my duty to invite your special attention to the multiplicity of adjournment motions and the time which they are likely to take, if at least one of them is allowed per day. More than half a dozen adjournment motions were ruled out of order; while three were allowed by me and the House for their discussion. Honourable members might have noticed that today there are 18 printed motions in the agenda circulated to them. Making allowance for the fact that some of these may be ruled out of order, the question is whether these motions should be discussed every day and whether it is in the interest of the House that one hour should be devoted daily to questions, two hours to an adjournment motion and the remaining 1½ hours to the public

business. As the matter is of great importance, I hope the House will give it the consideration it deserves. In my opinion, if the interval between the notice and discussion of a motion for adjournment exceeds a day or two, it ceases to be urgent; while some, if not all, of about twenty motions now on the agenda, if in order, shall be discussed a week or fortnight hence. Shall they be still considered urgent?

**Dr. Gopi Chand Bhargava :** As for the adjournment motions notices of which have been given by members of my party are concerned, I beg to submit that we only want that adjournment motions concerning repressive policy of Government as well as the situation created by the hunger-strike of political prisoners be taken up. If the Government is prepared to give me days for discussion—

**Mr. Speaker :** Will the Honourable member please give their numbers?

**Dr. Gopi Chand Bhargava :** They are Nos. 5, 8, 12, 15 and 17 on the list. Nos. 5 and 15 are similar and Nos. 12 and 17 are similar.

**Sardar Sampuran Singh :** Sir, when notices of adjournment motions have been given, they must be taken up according to the procedure and practice of Parliament. According to our rules of procedure the question as to whether a matter is immediate or urgent is one thing and whether the House has been able to take it into consideration or not is a separate thing. Does this fact that the House could take up only one adjournment motion on a particular day and was compelled to postpone the second motion determine the urgency of that motion? The urgency is sometimes increased on account of the inability of the House to take up that motion, it does not decrease. Some of the motions though more urgent in themselves might be considered to be less urgent by some members who would like to give preference to their own. That does not in any way affect the urgency or otherwise of a motion. It has been more or less admitted by the House that an incident, which took place a month before the House sits and because the House had not the opportunity of discussing before they sat, does not cease to be less important or less urgent. This has been an admitted principle so far with this House and I would request that we should act according to our usual practice and procedure and ought not to adopt any extraordinary procedure. That would be a bad precedent for the future.

**Dr. Gopi Chand Bhargava :** I never meant that the ordinary interpretation of rules or of law should be changed or amended. I only suggested a way by which other parties could be induced to withdraw their motions and only those which I have mentioned might remain on the list. I am prepared to withdraw them also if the Leader of the House is prepared to give us some days for the discussion of these important matters.

**Minister for Revenue :** Sir, I think the Honourable Premier, last time when this question arose, gave an undertaking to the Leader of the Opposition that if an occasion arose when the Leader of the Opposition wanted time for discussing an important and urgent matter of public interest, Government will try to accommodate him by providing time for discussion. On this occasion too I shall be delighted to meet the wishes of the Honourable the Leader of the Opposition and give time out of Government business to discuss the question about the hunger-strike.

**An Honourable Member :** And about repressive policy ?

**Mr. Speaker :** Is that a solution of the difficulty which I have placed before the House ?

**Minister for Finance :** The best thing would be to put the motions one by one and let them take their chance. It is not possible to determine today that so many be given up and so many be discussed. They may not find adequate support when it is intended to move them.

**Mr. Speaker :** As to the time of the House, I may read a few lines from page 91 of Campion's book :—

“ This form of motion is generally used for the purpose of criticising the Government in connection with *some sudden and recent incident* which can be laid to the blame of the administration. It is something like an *emergency motion of censure*, and is raised at the end of Questions, out of which it generally arises. If the terms and subject of the motion satisfy the conditions of standing order No. 10, the motion stands over till 7-30 the same evening. *These motions are necessarily unforeseeable and mean the loss of Government time.* As will appear later, *the loss of even half a day at certain times of the year may be very awkward to the Government* ”.

According to Sir Erskine May (page 247) a member cannot give notice that he will move an adjournment motion on a future day. Such a motion must be discussed on the same day and according to our rules, on the day on which the House gives leave or on the following sitting day. In other words, a motion for adjournment, owing to its urgent nature, should not be discussed or put off for discussion on a future day. It follows, therefore, that it is not open to the Speaker or the House to put off an adjournment motion for a long time even if notices of many such motions are received. I am inclined to think that if and when one motion is taken up and leave is given for its discussion the remaining motions should be taken as disposed of ; that is to say, they must lapse unless fresh notices are received.

**Pandit Muni Lal Kalia :** You have been pleased to refer to practice in Parliament but so far as Standing Order 22 is concerned, we can here give notice half an hour before the commencement of the sitting of the day. There it is half an hour before public business is commenced.

**Mr. Speaker :** There you can give notice after questions have been disposed of.

**Pandit Muni Lal Kalia :** But here it is half an hour before the commencement of the sitting of the day.

**Sardar Hari Singh :** May I make a few observations ? You have remarked, Mr. Speaker—

**Mr. Speaker :** The Honourable member is welcome to give advice. I shall be grateful to him ; but, I think, we should now proceed with the business of the day.

**Sardar Hari Singh :** You, Mr. Speaker, complained that there are so many adjournment motions. I wonder, on the other hand that they are so few in view of the veritable suppression of civil liberties from day to

day all over the province. It is, therefore, no fault of the Opposition that so many adjournment motions are being moved. It is the fault of the Government.

**Dr. Gopi Chand Bhargava :** I beg to submit that if you were to give us time to discuss the point which you have raised, we shall be jolly glad to discuss that with you.

**Mr. Speaker :** I shall be delighted to discuss the matter in my room.

**Mir Maqbool Mahmood :** On a point of order. I thought that after the statement made by the Leader of the Opposition and the Leader of the House the question of admissibility of these adjournment motions will not be taken up now. I submit that though technically some of the adjournment motions may not be in order, since the Leader of the House is giving time to the Leader of the Opposition, whether they are admissible or not, they should be permitted to discuss it. Therefore, it will not perhaps be in order now to discuss whether they are admissible or not, but even if they are or are not admissible, time is being allowed at the request of the Leader of the Opposition.

**Mr. Speaker :** The difference is this. When the Leader of the House gives time on a Government day, the motion is discussed as a substantive motion and not as an adjournment motion.

**Pandit Muni Lal Kalia :** Quite right.

**Dr. Gopi Chand Bhargava :** What I submit is that so far as the notices of motions which have been given by the members of my party are concerned, I can say that I have asked the members of my party to withdraw all other motions except the ones I have already referred to. I do not know whether Sardar Hari Singh wants to withdraw or not his motion.

**Mr. Speaker :** The Leader of the Opposition can speak only for his own party.

**Minister for Finance :** Let us go through these proposed motions one by one and see which of them are withdrawn.

**Mr. Speaker :** <sup>1</sup>Motion No. 1 is out of order :

<sup>2</sup>Motion No. 2 also is out of order.

**Dr. Gopi Chand Bhargava :** I will submit that last time during the Simla session a notice was given about the adjournment motion relating to Sardar Teja Singh Swatantar but it was not allowed by you.

**Mr. Speaker :** Probably there were reasons for disallowing it.

<sup>1</sup>Motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, disclosures of high public importance made in a recent judgment of the Lahore High Court in the case *Crown versus Kiroo* under section 302 of the Indian Penal Code and the administrative responsibility of the Government involved in the matter.

<sup>2</sup>Motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the objectionable speech delivered by Sir Sikandar Hayat Khan in *Jalal Pur Kikana* in August, 1937, as reported in the *Civil & Military Gazette* containing references towards cases regarding Alla incident which are then sub-judice.

**Dr. Gopi Chand Bhargava :** The Honourable Premier was pleased to remark when the resolution was being discussed that he would consider the question of the release of prisoners if an assurance was given by me or any member on this side. After that something has happened and therefore we would request you to permit us to discuss the situation which has been created by the non-release of the prisoners after what he said had been satisfied.

**Mr. Speaker :** When was the question of the release of Sardar Teja Singh discussed ?

**Dr. Gopi Chand Bhargava :** That was in connection with the release of political prisoners including Sardar Teja Singh.

**Mr. Speaker :** When leave was asked for moving an adjournment motion about the release of Sardar Teja Singh, I held it to be out of order. The Honourable members are aware, I presume, that this is the same session as that.

**Lala Deshbandhu Gupta :** This adjournment motion I would submit seeks the leave of the House to adjourn for the non-fulfilment of the assurance that was given on the floor of the House. As has been pointed out by the Leader of the Opposition, what we wish to discuss is the non-fulfilment of the understanding given by the Premier on the floor of the House, because the assurance he then needed from the side of the prisoner was given and in spite of that the gentleman has not been released.

**Mr. Speaker :** Will the honourable member please read the motion now ?

**Mian Muhammad Iftikhar-ud-din :** It is a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the situation created by the non-release of Sardar Teja Singh, Swatantar, M. L. A., even though he was elected a member of this House so many months ago.

As is obvious new circumstances have arisen since we met in Simla last.

**Mr. Speaker :** That is not mentioned in the motion.

**Mian Muhammad Iftikhar-ud-din :** In spite of the assurance given to the Premier and in spite of the undertaking given by the prisoner, he has not been released. This has changed the circumstances.

**Pandit Muni Lal Kalia :** You have been pleased to say that this is in continuation of the previous session. But this session has been summoned under the orders of His Excellency the Governor. It required no fresh notice from His Excellency, if it were.

**Mr. Speaker :** This is the same session.

**Pandit Muni Lal Kalia :** A fresh notice was not required.

**Mr. Speaker :** A motion cannot be repeated in the same session.

**Mir Maqbool Mahmood :** The main objection against the motion has already been indicated. In the first place it is not of recent occurrence, nor is it an urgent matter. Secondly, the question has already been discussed in this very session because speaking constitutionally we are continuing the same session, and therefore I submit that the motion does not conform to the conditions laid down for an adjournment motion.

**Mian Muhammad Iftikhar-ud-din :** During the same session circumstances can arise which make discussion of the motion necessary even during the same session.

**Mr. Speaker :** The honourable member is not entitled to speak. Had the motion contained reference to the undertaking or assurance alleged to have been given by the Premier I should have been only too glad to allow it.

**Dr. Gopi Chand Bhargava :** We should not throw it out on that technical ground.

**Mr. Speaker :** As regards urgency, no doubt the matter was urgent then, it is urgent to-day and shall remain urgent even till the budget session. Therefore, I think honourable members may defer its discussion for a month or so.

**Mian Muhammad Iftikhar-ud-din :** Shall we be permitted to bring in an adjournment motion later ?

**Khan Muhammad Yusuf Khan :** On a point of order. To-day is Friday and the Assembly ought to have adjourned by 12-30.

**Mr. Speaker :** We are to adjourn at 1 P. M. The decision is that the honourable member may wait till the budget session when the matter may be discussed in one or the other form.

**Mian Muhammad Iftikhar-ud-din :** Including this adjournment motion ?

**Mr. Speaker :** Well that will be a new session.

**Dr. Gopi Chand Bhargava :** My submission is that we will be told during the budget session that we can discuss this thing by way of a cut motion when the demands are being discussed. Therefore we will have no time to discuss the adjournment motion to invite the special attention to this matter. That is why time should be given to-day so that we may discuss it during this session.

**The Honourable Mr. Manohar Lal :** I have not quite understood the exact position. Has this particular motion been ruled out or permission been given that if necessary the adjournment motion can be moved during the budget session ? Would it not take its ordinary chance subject to all the objections.

**Dr. Gopi Chand Bhargava :** Yes, we understand that. We cannot expect any promise from the Chair that it will definitely be taken up during the budget session.

**Mr. Speaker :** The honourable member will, of course, take his chance. If the motion is permissible under rules, he will move it, or he will speak on it in the general discussion of the budget or on one of the relevant cut motions.

The next adjournment motion (No. 12) which stands in the name of Sardar Hari Singh runs as follows :—

To ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the situation that has arisen out of the hunger-strike of the political prisoners in the Punjab Jail.

Government has already agreed to give time to discuss it as a substantive motion.

[Mr. Speaker.]

Next is the adjournment motion <sup>1</sup> No. 15 which stands in the name of Lala Deshbandhu Gupta. But it was over-ruled three or four days ago, as it does not relate to a single matter.

**Lala Deshbandhu Gupta :** You will be pleased to see that the last motion was differently worded.

**Mr. Speaker :** The nature and substance of subjects, sought to be discussed, being the same, I disallow it. The subjects specified in this motion as well as in the motion disallowed, are the same, viz., the grave apprehension caused in the public mind by series of arrests, detentions, internments and externments for political offences both under section 124-A, the Criminal Law Amendment Act and other laws. I think all these subjects cannot be discussed in fifteen minutes. I have no option and cannot increase the time limit. The motion is an important one; but it is not in order. The question is whether it can be discussed as an adjournment motion. Is there any departure from the ordinary law? What is the responsibility of Government and to what extent is it involved? Nothing can be discussed as an adjournment motion unless there is a departure from the ordinary law.

The next motion *re.* the serious damage recently caused to the sugarcane crop by some disease in the districts of Ambala division stands in the name of Chaudhri Ram Sarup. A similar motion was discussed yesterday.

**Chaudhri Ram Sarup :** But the district is different.

**Mr. Speaker :** The next motion, which has been just received, is in the name of Mian Iftikhar-ud-din. The matters proposed to be discussed in it are: the situation arising from the unauthorised undertaking given by various members of the Unionist Party in their addresses at the recent Viceregal visit to Lahore to give support and supply men for the coming Imperialist War, although they had no right to pledge the lives of the citizens of the Punjab without their consent.

**Minister for Finance :** This is meaningless.

**Mr. Speaker :** It is clearly out of order. How can it be said that all this was done by them as members of the House and as members of the Unionist Party? There were hundreds of other persons who were with them. How is the Government responsible for it?

**Mian Muhammad Iftikhar-ud-din :** The urgency is not on account of what they have said. It is about the situation arising from their undertaking, and the Government is responsible for the situation that has arisen therefrom. I want to discuss the situation which has arisen as a result of this. Government is certainly responsible for the situation that has arisen, though it is not responsible for the undertaking that was given by the members individually.

<sup>1</sup> *Re.* arrests, detention, internments and externments for political offences.

**Mr. Speaker :** Assuming that Government is responsible for it, the matter is not urgent.

**Mian Muhammad Iftikhar-ud-din :** But this situation is encouraging to the undertaking of any such war.

**Dr. Gopi Chand Bhargava :** I am afraid that invitation sent to the party at which this assurance was given was issued signed by Sir Sikandar Hyat-Khan, Premier, and not by Sir Sikandar Hyat-Khan only.

**Mr. Speaker :** May I ask who issued invitations ?

(Honourable members : Punjab gentry.)

*At this stage the Assembly adjourned for lunch.*

*The Assembly re-assembled at 2-30 P.M. of the clock. Mr. Speaker in the Chair.*

### ADJOURNMENT MOTION.

**RE. STRIKE BY OWNERS AND DRIVERS OF MOTOR TAXIS.**

**Sardar Hari Singh** (Kangra and Northern Hoshiarpur, Sikh, Rural) : Mr. Speaker, with your permission I move —

That the House do now adjourn.

While moving this adjournment motion, Mr. Speaker, I have to submit that the year 1938 witnessed on its opening day a province-wide hartal by the motor taxi service all over the province of the Punjab. This strike was unprecedented in its scope. It was thoroughly complete. The roads which used to hum with life presented a desolated appearance on that day ; the hooting horns of the motor lorries were silent. You perhaps know, Mr. Speaker, that there are 3,000 lorries plying throughout the Punjab. They must have suffered a loss amounting to lakhs of rupees and the loss suffered by the public was in no way less. Many engagements had to be cancelled and could not be fulfilled on that day, because the lorry traffic was at a standstill on that day. That strike had a sequel in an unprecedented demonstration by the lorrywallas on the 10th day of this month, the opening day of this session. Thousands of lorry drivers were gathered at the capital of the Punjab to make a demonstration at the Assembly Chamber in order to voice their grievances, but they were not allowed by the Government of the Punjab to come within one mile radius of the Assembly Chamber. Mr. Speaker, contrast this attitude of the Punjab Government with the attitude and conduct of the Governments in the neighbouring province, the United Provinces.

**Mir Maqbool Mahmood :** Is the honourable member referring to the situation leading to the strike or the events after the strike which are the subject of another adjournment motion ?

**Sardar Hari Singh :** I am dealing with the whole lot of grievances of the lorrywallas leading to these strikes and protests and demonstrations, Mr. Speaker. The attitude of the Punjab Government was not at all sympathetic. The lorrywallas were not allowed even near the Assembly Chamber,

[S. Hari Singh.]

while we note that in Sind when the peasants made a demonstration outside the Chamber they were served with cold drinks and responsible Ministers went to them and listened to their grievances. Similar things happened in the United Provinces, in Bombay and in the Frontier Provinces, where they demonstrated outside the house of the Premier who came out and listened to their grievances. Now, Mr. Speaker, let us see what is behind all these demonstrations of protests and discontent of the lorry drivers of the province. There must be very serious, very longstanding and very real grievances leading these people to give up their jobs and suffer a loss of lakhs of rupees. What made them suffer hardship and stage a demonstration? The Government cannot say that they had not been appraised of the grievances of these people so far. I have to bring to your notice that it was in July 1936 that a memorandum was submitted by the Punjab Motor Union, a representative body of this industry, to the Punjab Government. Did the Punjab Government move its little finger to enquire into the grievances and redress them? Further on, it was on the 14th April, 1937, that a deputation of the Motor Union of the Punjab waited upon the Honourable Revenue Minister of the Punjab and detailed their grievances, told him the story of their longstanding hardships and grievances. But though so many months have elapsed Government has not moved in the matter and redressed their grievances. Then again a few weeks ago a similar deputation of the Motor Union waited upon the Honourable Minister for Public Works and the Assistant Inspector-General of Police and narrated all their grievances before these dignitaries. But nothing was done. They had the warning of the coming trouble; they had the warning of the brewing storm. They did not do anything to prevent the strike by these people. The Motor Union in an editorial leading article in its paper, on the eve of the strike, has given its case in a nut-shell. It says that the lorrywallas have determined to go on strike on the 1st of January because firstly continued representations have been made to the Government of the Punjab giving out the grievances of the lorrywallas and nothing has been done by the Government. Secondly, the charge of the Motor Union against the Government is that protests have been made against the proposed Motor Taxation Bill which is calculated to throttle and cripple the industry and send thousands of people into unemployment, but the Government has not issued any statement on the matter. In the third place, they say that the provincial Government is in alliance with the Central Government in proposing an Act and bringing into force certain measures, certain enactments which would help the railway at the expense of the motor industry. These are the various kinds of charges against the provincial Government. Their grievances are all really serious and longstanding. I saw the representatives of the Motor Union this very morning and I have got certain documents, certain literature, with me even now in which the various grievances are set forth. In the first place, Mr. Speaker, they urge that there is much too frequent inspection of lorries, while in the neighbouring province, the United Provinces, inspection is held after six months. Here the inspection is held every quarter and as a result of these much too frequent inspections their vehicles have to remain idle for days together. They urge—and I think there is much force in it—that in most cases the vehicles are not passed by the inspecting staff until their palms are greased. This is a very serious

allegation and it is the duty of the Government to appoint a committee to go into these allegations to find out how far they are true. It must be within the knowledge of all members coming from rural areas that the police people travel free of charge in the lorries plying on public roads. Their relatives even travel free of charge and if the motor wallas refuse to carry them, they are challaned on various grounds. In the third place, they urge that frivolous challans on petty infringements of rules are put in courts by the petty constables. I know that the Inspector-General of Police has issued an order to the effect that petty infringement of rules should result only in a warning, but that order is not being carried out. Petty infringements lead to challans in courts and these drivers who get Rs. 15 or Rs. 16 a month find it very difficult to pay a fine of Rs. 50 or 100 or even more.

Then Sir, there comes a very serious charge against the police and I shall quote chapter and verse in support of this charge. The honourable member in charge of this department may take it down. It is said that police requisitioned lorries when it needs them to carry police force to some place and in some cases they are not paid at all. What a shameful thing and how disgraceful it is. I can quote certain instances. At Amritsar during the last Sikh-Muslim riot, certain lorries were requisitioned by the police. The lorry Nos. are 1649-PB, 1868-PC., 5616-PC and 5930-PB. Those poor people not only have not been paid a single pie so far by way of hire, but they had to use petrol at their own cost. They have not been paid a single pie either by way of hire or as cost of that petrol.

There comes again a case from Shorkot. It is said that the sub-inspector of police requisitioned many lorries either for police work or for his own private use, it is not stated for what purpose in the paper. Drivers openly alleged that he did not pay a single pie for lorries requisitioned by him and this led to a *hartal* by lorry-drivers at Shorkot. The Superintendent of Police came to know of it and he invited lorrywallas who placed their grievances before him, but nothing was done in the matter at all. The guilty persons were not punished and lorrywallas were paid nothing at all.

Lorry people allege that now very frequently their driving licences are impounded on petty grounds though it has been ordered by the Inspector-General of Police that only on fourth conviction driving licences must be impounded. Now this is something that will tell on the livelihood of those poor people who have made it an occupation for their life. It tells on their means of livelihood and subsistence. Driving licence fee is already very high. It is put at Rs. 9. The poor driver, who hardly gets Rs. 16 a month, is hardly able to pay so much as a fee for his driving licence. The questionnaire of the Resources and Retrenchment Committee contains a question to that effect. "Will you suggest any increase in taxes on motor vehicles in order to raise the revenue of the province." This item in the questionnaire has caused a definite apprehension in the minds of the lorrywallas that taxes on motors are going to be increased. Is Government prepared to believe it? On this point I have to submit that taxes on lorries mean taxes on poor people of villages. It is poor people who generally travel in lorries. Rich people travel in their own cars or in the railway train. It is poor people who are going to bear every strain of further taxes on motor service.

[8. Hari Singh.]

Now I come to another question. The question of private stands has been brought to the notice of the Government time and again by the people concerned. In the United Provinces private stands have been abolished by the Government, but here they are maintained. This nuisance results in accidents to lorries.

**Minister for Revenue :** I have not followed the point.

**Sardar Hari Singh :** Private stands, *addas*, have not been abolished. There is a strong apprehension in the minds of motor owners, as a result of certain pronouncement, that the provincial Government is going to play to the tune of the Central Government to help railways at the cost of lorry service. These apprehensions, these grievances and these hardships, as alleged by motorwallas, are required to be enquired into and redressed. Will Government please appoint an enquiry committee to go into all these charges, and longstanding grievances against the police and redress these grievances?

**Mr. Speaker :** The motion moved is—

That the Assembly do now adjourn.

**Minister for Revenue** (The Honourable Dr. Sir Sundar Singh Majithia) : Sir, with your permission I shall intervene at this stage of the debate, because I feel that my honourable friend on the opposite bench has been misled to make statements which may not be correct. I would deal with them *seriatim*. The first thing that I may point out for the benefit of my friends on the opposite benches is that so far as the Punjab Government is concerned, there is no such Bill which is going to be introduced in this House at the present stage.

**Sardar Hari Singh :** That is only one of the items.

**Minister for Revenue :** Wait a minute. Do not be anxious. There is no Bill which is going to be introduced in this House at the present stage. The only Bill that we are going to introduce in this House is one which ought to have the support, not only of this side of the House, but as well as of the other side of the House and particularly of lorrywallas and drivers. . . .

**Sardar Hari Singh :** Just like the Marketing Bill.

**Minister for Revenue :** Please let me go on. This provides that those lorrywallas and drivers, who are sometimes tried for petty offences, should pay small fines, instead of engaging lawyers for defending their cases. This is the sort of Bill that we are going to introduce in this session of the Assembly. There is no Taxation Bill which is going to come forward before this House as yet. I may inform my honourable friends that in the last Council there was a Bill which was introduced by my honourable friend Nawab Muzaffar Khan and which was debated but was not pushed forward at all. (A voice : Where does it stand now ?) It stands still in the files of the Punjab Government and nobody has yet tried to open it. The only information which my honourable friends might have received is that somehow or other a reference, which was called for by the Retrenchment Committee and by the Taxation Committee, has reached their hands, on which the whole of this agitation has been started. If those gentlemen, instead of creating this trouble in the province and creating inconvenience to the public who as my honourable friend has stated suffered and

could not keep their engagements and had to go back because they could not get lorries—had consulted the Government and asked whether any taxation measure was going to be introduced, they would have been told that there was no such measure before the House, nor was there any intention on the part of the Government to introduce any Bill of that kind.

Instead of that what did they do? They held a meeting of their Union on the 12th of December in which they decided to go on strike on the 1st of January,—a big strike. Are we, on this side, prophets to know beforehand what is happening in the minds of the Union that we may take necessary action beforehand? The right course for them was that they should have approached us and asked particulars about the Bill that was going to be introduced. Nothing of that sort was done. The honourable member was saying that the Punjab Government had not heard the grievances of these people. I am glad that he himself has admitted that deputations of this Union waited upon me and upon my honourable colleague, the Minister for Public Works and also upon the Assistant Inspector-General of Police (Traffic) who tried to explain the situation fully. What else could we have done? Not a single item concerning taxation was brought to our notice by the members of the deputation. There was no Bill to be put forward as regards taxation. How could they possibly bring forward any grievance on that account? The only grievance that was brought forward concerned chiefly private *addas*. The only thing that we could understand from that deputation was that they were keeping their cars in their private *addas* and found an opportunity to go out for the purpose of taking passengers on the road. They try to give something to *private adda walas* and keep ahead of the other motor lorries. I will tell my honourable friend what happens. In the year 1936, 777 accidents took place and in the year 1937 up to date the number of accidents was 575. A friend of mine was telling me that motor lorries try to climb up the trees. How could they do so if they are going within the speed limits? If they are carrying on their vocation properly and keep their lorries in order, the accidents which result in damaging their lorries and injuring the people will not occur. Instead of going at a reasonable rate of 20 to 25 miles an hour what do we find? I have seen with my own eyes these people driving at the rate of 60 to 70 miles an hour. On one occasion Mr. Garbett and I were going together to Lyallpur. We found a lorriwala preceding us. In order to test his speed I tried to catch him and asked my driver to increase the speed to 40 miles an hour, he was still ahead of us; at 50, he was still ahead of us. (*Interruption*) Wait a minute. I will not give way.

**Lala Deshbandhu Gupta :** Is the Honourable Leader of the House in order in addressing the members of the Opposition in the manner he is doing by remarking 'wait a minute' and like that. I take strong exception to this attitude of his. It is not in keeping with the dignity of the members of this House.

**Mr. Speaker :** May I ask if honourable members are entitled to interrupt?

**Lala Deshbandhu Gupta :** Yes, if they do not exceed the latitude that has been allowed to the House in this respect.

**Minister for Revenue :** My car was going at 50 miles and he was still ahead of me. At 60 miles I managed to catch him. He was reported to the police and probably action was taken against him. On another occasion similar thing happened between the turn to Kapurthala and Jullundur. My honourable friend says that there are so many inspections that take place. May I remind my friend what is happening on the Kalka-Simla Road where cars and other vehicles belonging to the subjects of the States are allowed to go on the road because the metalled road passes through state territories? I have not seen so much inspection there as it is in the Punjab. Why has the necessity of these inspections arisen? If these lorrywalas and drivers would have their cars properly looked after and go at a speed which is proper, accidents will not take place and no lives will be lost. But as things stand at present inspections have to be introduced. The inspection officers sometimes fix their places where these gentlemen have to come and offer themselves for inspection. Very often no inspections can be held as these gentlemen do not turn up.

Now I come to the charge that the police men make use of these lorries without paying anything. There are the police patrols going about in their own conveyances. There is the Assistant Inspector-General of Police in charge of traffic who goes about from place to place making enquiries. He is very much in touch with these motor drivers and lorrywalas and in fact he has got their confidence. With that confidence and with the tact with which he is dealing with those people we hear no complaints. On the other hand if these complaints are there and the police men make use of lorries without paying their due fares the aggrieved persons can go and report the matter to the district magistrates or other authorities or if they so like they can send in their reports to me and I will take proper action. But to go on saying that Government is responsible for these things is not fair. The strike was organised without even consulting us whether or not we were bringing forward any Bill and still we are held responsible for the loss sustained by them. We are very sorry for the loss that they have sustained and for the inconvenience that has been caused to the public, but who is responsible for all this, the Government or these lorrywalas themselves?

**Sardar Hari Singh :** It is the Revenue Minister.

**Minister for Revenue :** No Sir. Revenue Minister is not responsible for this. Perhaps they will next come down to the Parliamentary Secretaries as well, but we have done our best to remove the grievances of the people. We are looking into them. *(Hear, hear).* No grievance has been definitely put before us. How could they expect that the grievances would be removed?

Another thing that has been said on the floor of this House is to the effect that the Punjab Government is in league with the Central Government and does not want these lorrywalas to drive on the roads. May I ask my friends as to how many roads go along railway lines? Is there a very large number of these roads going along these railway lines where this competition exists? I am afraid such is not the case. But we have also to see that the railway department which belongs

to the country as well does not suffer loss. It does not belong to any outsiders. (*A voice : Question.*) If the Railway Department is not able to pay its way, we shall not get any help from the Central Government that sometimes is given. Our friends do not know that the Government of India has given us large grants of money for the construction of these pucca roads. What are these roads being made for? Are they made for the use of cart traffic or are they made for the use of these lorries and these vehicles? I would put that question to the gentlemen on the other side of the House whether these roads are not convenient, whether Punjab as regards roads is not a head of any other province in India (*Hear, hear*). We have got the largest mileage of pucca roads in the Punjab in a first class tarred condition and no dust on them. I have travelled on roads in the United Provinces while going from Delhi to Cawnpore. I could not find such a pucca and macadamised road as we have in the Punjab. There both sides of the roads are full of dust. A lorry going ahead would not allow you to proceed ten paces and sometimes what happens is that lorrywalas, when they see that a car is coming from behind, put their lorry purposely on the kacha brim of the road—thus putting an obstacle before the owner of the car. This is the state of affairs on those roads.

A very serious charge has been made by my friend in the opening speech that at the time of inspection only those lorries are passed the owners of which grease the palms of the people deputed to pass these lorries. Why do they do it? I deny the charge altogether. It is not true, it is not correct. (*Voices : It is totally incorrect.*) I say on the floor of this House that it is untrue, but if there are black sheep among the policemen (*Hear, hear*), who is responsible for that? These very people who offer temptations are responsible.

**Sardar Hari Singh :** Why should they accept bribes?

**Minister for Revenue :** My friend knows what happens in the Canal Department. The farmer who is on the tail and is in need of water, goes to bribe the canal authorities. This man is as much the sinner as those people who accept the bribes.

**Sardar Hari Singh :** Who is responsible for corruption?

**Minister for Revenue :** You yourself.

**Mr. Speaker :** I have more than once pointed out that dialogues between two or more members of the House are unparliamentary.

**Sardar Hari Singh :** On a point of order. The Honourable Minister has already taken more than five extra minutes of the House.

**Mr. Speaker :** The honourable member's time is up and it is not in my power to extend it. (*Cheers from Opposition benches.*)

**Sardar Sampuran Singh** (Lyallpur West, Sikh, Rural) : This trouble of lorrywalas is of a very old standing. I may at the very beginning state that I will relate only those things about which I have personal experience and what I have seen with my own eyes. I would submit that perhaps the Honourable Minister for Revenue has had very few opportunities—and I would go to the extent of saying perhaps none—of travelling in a lorry.

**Minister for Revenue :** I travelled, Sir, only last year.

**Lala Bhim Sen Sachar :** It must have been a lorry containing a marriage party.

**Minister for Revenue :** No, not at all.

**Sardar Sampuran Singh :** I have been travelling between Lyallpur and Lahore on lorries. I would state before the House what I have seen with my own eyes. The policemen are generally travelling on the road and as soon as they see a lorry approaching, they stop the driver and with the pretence of examining the permit, try to get something out of the driver or at least, if nothing in cash, they ask him to carry them to a distance of ten or twenty miles and I have seen that lorrywalas have in no case got the courage to say "No". It has always been my bad luck to quarrel with the policemen and reprimand them for travelling without payment and the lorrywalas have always blamed me by saying, "Sir, to-day you have made them pay two or three annas, but to-morrow they will punish us for charging this paltry sum". These are the facts. I may assure the House that it is not my experience on one occasion. This has happened several times. I am not saying these things with the idea of injuring the feeling of the Government. When the Honourable Revenue Minister gets up and says that this is a lie, this is wrong, this is incorrect, I am afraid. ....

**Minister for Revenue :** Did I use the word 'lie' ?

**Sardar Sampuran Singh :** I beg your pardon. I withdraw that word. You said, 'this is wrong' and 'that is incorrect' and so on, and you were very emphatic about it but I tell you that you perhaps never had the experience. Since you are highly placed socially, naturally you do not experience all those things which we do experience when we are travelling in these lorries. Therefore, when we state these facts, we state as eye-witnesses while your information after all is what percolates from below. There are so many factors playing their part and many important facts are kept back from the eye. I assure you that you will have to take jolly good care and trouble to go to the bottom of the things and know how the things are going on. (*Khan Bahadur Nawab Muzaffar Khan :* You have got a private car.) One day I was travelling from Lahore to Amritsar in a car and I saw a regular row of lorries standing and there was one European or Anglo-Indian Inspector of Police in front of them in a lorry. Every car or lorry that came was stopped and made to follow the train and there were perhaps twenty or thirty lorries when they moved together for a mile. His idea was that no lorry should go ahead and inform people on the other side that the Inspector was on the road. He also made my car follow them. You think that no trouble is caused to people by being held up on the road like that, but I tell you that when people travel like that and sometimes they are pressed for time, it causes them very great inconvenience which is really the duty of both the police and other officials concerned with the traffic to avoid and to provide facilities to the passengers rather than create all these difficulties. I had personally with other M. L. C.s (because they were M. L. C.s at that time) to approach the Inspector and explain to him that we had to go to Lahore in connection with certain work. It was with great difficulty that he allowed our car to pass while he kept 20 or 30 lorries hanging behind till he reached Amritsar.

Now, Sir, the Honourable Minister for Revenue has tried to take off the responsibility for not stopping corruption in the Government departments from his shoulders. Nobody could think that a member of the Government will get up and state that our officers are corrupt because the public is also corrupt and offer bribes. If you are going to give this licence to the public departments, if you are going to justify their actions because the public is not honest, I am afraid you are setting a very bad example (*hear, hear*). I admit that human beings are never perfect. You will always find in the teeming millions of India many who will not be strong enough to stand the temptation of getting their work done by giving bribe ; but you have to keep discipline in your police force. After all, if you are going to give that licence and if you are going to look upon their actions of this type with leniency, I am afraid you are setting an extremely bad example. I hope before this debate finishes you will see that these words have created a bad impression and that people will go out with that impression.

**Khan Muhammad Yusuf Khan** (Rawalpindi Sadar, Muhammadan, Rural) : Sir, I rise to oppose this motion not on the ground that I differ with it or with the principle involved in it, but because I find that Government is not at fault. Generally Sir, we see whenever people have any grievance to express, they do so, on certain occasions by observing hartals or strikes. Coming to this particular motion, I think when a report was published, and so far as I believe it was published wrongly, in certain newspapers that Government was going to sponsor a motor taxation Bill in the immediate future, it led the Punjab Motor Union to believe that they were going to be placed under another hardship which might prove the last straw on the camel's back, because they thought they were hard pressed even by the existing laws relating to taxation. But it has since been made clear on the part of the Government that there is not going to be any motor taxation Bill at this stage. The Punjab Motor Union felt that they had no work to do and that they were idle ; so, they took this very opportune moment to infuse enthusiasm in their workers by bringing about a province-wide agitation against the Government. It was, I think, the duty of the Punjab Motor Union in the first instance to have come to Government and enquired whether there was going to be any such Bill in the Legislative Assembly. Together with this grievance they brought forward some other petty grievances and accumulated them all to effect the strike. I think the Unionist Government is here for the amelioration of the labouring classes as well as for the amelioration and betterment of the zamindar classes. (*A voice : Question*) My honourable friend says 'question'. I may tell him that it is for the betterment of the labouring classes as well as of the motor owners and motor drivers that a Bill is going to be sponsored on the floor of this House in the immediate future. We are going to prove by our attitude that we are here for the protection of the rights of the poor and would never do such a thing which is not conducive to their amelioration or betterment. It cannot be gainsaid that we should give protection and paramount consideration to the zamindar classes, because on the legitimate ground of the proportion of their population they deserve it. But at the same time the labouring classes are not to be relegated to the last position. We are here to protect their rights. I may inform this honourable

[Khan Muhammad Yusuf Khan.]

gathering that the President of the Motor Union, Rawalpindi, Mr. Basant Kumar Jaggi, is a very close acquaintance of mine. A few months back a strike was inaugurated over some grievances which they had on the Rawalpindi-Murree-Kashmir Road. Although I am a member of the Unionist party I did not think it against the policy of this party to approach this gentleman and tell him that I was always at his service and if they had any genuine grievance I would be amongst them to lead a deputation to the Government and to ask for the redress of those grievances. After a few days most of their reasonable demands were acceded to by the local authorities and the strike was then discontinued. I may assure the honourable members of the Opposition that we stand here for the protection of the rights especially of the peasantry and the labouring classes. They should not make a mountain of a mole hill and they should not seize such an opportunity for propaganda work in the newspapers. We are staunch advocates of the rights of these classes. With these words, Sir, I resume my seat.

**Mian Muhammad Iftikhar-ud-din** (Kasur, Muhammadan, Rural) : Mr. Speaker, the question that we have before the House to-day involves far bigger issues than the honourable members opposite the members of the ministerial party, are prone to think. The question before us is not merely of a few grievances of a small group or a limited area of this province—the grievances of the Motor Union people. The issue involved is whether we are going to support in the transport industry, home industry or foreign industry. With due respect to what the Leader of the House has stated, it cannot be denied that with all the investment that has been made in the railways during the past century and with all the loans and the shares of foreign investors in the railway companies—even in the railways which have been acquired by the State—it cannot be denied that a major portion of the investment in them comes from abroad and even to-day a major portion of the machinery used by those railway companies comes from abroad. Motor cars, no doubt, are imported from outside India, but the actual profit after the production of motor cars is not sent out of this country but goes to the people of this country. Therefore in that sense I am saying that motor industry is a home industry as compared with the railways. Hence the question involved in this consideration is of far greater importance than the Unionist Ministry is inclined to think. In fact, in the sense that I am speaking motor lorry transport is not only home industry but also a cottage industry so to speak. It is the poor man's industry, both from the point of view of the motor owner or driver as well as from the point of view of the person who uses it. It is mainly the poor people, generally drivers who own or can afford to own one or two cars who benefit from the motor lorry trade. Likewise, as far as the use of this transport trade goes we all know that it is the *dehati*, the villager generally speaking who makes use of this form of transport. Very few people from the ministerial benches, one would imagine, ever use a motor lorry for going from one place to another. When talking of the motor trade we are definitely talking in the sense that I am talking on the one side, of home industry, and, on the other the industry and the conveyance of the poor man. Therefore the importance of this trade to this poverty-stricken country is of far greater significance than the honourable members on the other side are inclined to think.

Apart from this there is another important factor which we cannot ignore when we consider the question of motor transport, and that is the educational, social and political value that the motor transport has. Motor transport has played and is playing and is going to play a great part in the rural, political, social and economic development of this province. Far and remote places and villages of the province have been brought within the reach of modern movements and progress. These villages could never be touched by railways even, if the railways were developed on the lines they have been developed in the past for another hundred years. (*The Honourable Chaudhri Sir Chhotu Ram* : You will then forget to walk). The Minister for Development in spite of his zamindar tendencies, I am surprised to see, supports railways as opposed to lorry traffic as if one can walk in the railways and not in the lorries. Perhaps he is thinking of the first class compartment when he says that one can have exercise in it, but he does not know the discomforts of the third class compartment. (*The Honourable Chaudhri Sir Chhotu Ram* : Don't I ? I know them much more than you do.).

Motor transport, as I was saying, has got a great educational, social and political utility. The remote parts of the Punjab which could never get into touch with towns have now come within the reach of urban areas and that to a province of this type has a great significance. I shall not enter into the difficulties that lie in the way of motor drivers and motor owners with regard to private stands and taxation. The mover of the adjournment motion has pointed them out to you, and other speakers on this side will go into them in greater detail, but the challans to which the Honourable the Leader of the House referred claim our special attention. The first ordinary rule must be that nobody lower than the rank of a head constable, as is the case in Bombay and Calcutta, should be allowed to challan a motor driver. This is a very reasonable demand. (*The Honourable Dr. Sir Sundar Singh Majithia* : I have not dealt with that question at all.) You were saying something about the police. Secondly, even after the challan has been made, one thing to which motor drivers wanted to draw the attention of Government when they went on strike on the 1st of January, was the way their cases are heard and the way decisions are given against them. In this connection I will read out to you a few lines from the judgment of the High Court about the way the cases are conducted and the decisions given in this country,

"I am constrained to remark that it is often seen that some of the magistrates who have been invested with summary powers conduct the trial in such a manner as is most prejudicial not only to the accused persons who are placed before them but also to the administration of justice as well. It appears that their one object is to swell the purse and in their anxiety to secure a large bag so to say they pay no heed to the instructions which have so often been....."

"as to enable the Court of appeal or revision to satisfy itself as to the propriety of the finding or the legality of the sentences."

Therefore there is the support of the High Court to the effect that the lorry drivers are treated very unfairly not only at the hands of the police

[Mian Muhammad Iftikhar-ud-Din.]

but also at the hands of the law courts. I shall sum up by saying again that the question involved in the last strike was not a small matter. It is a matter which involves not only the question of the enhancement of taxation, but it involves a far bigger issue, that of helping in the transport trade, the home industry and also helping the cottage industry, in a sense and of further helping the educational, political, social and economic development of this province.

**Mir Maqbool Mahmood** (Parliamentary Secretary): Mr. Speaker, the question before the House is a very important and a very serious one. We have listened to interesting digression on personal experiences from my friend, the honourable Sardar Sampuran Singh, and we have listened now to a very interesting speech from my friend sitting opposite. He is a great man with ideas, but as somebody said of an important member of the House of Commons, his ideas are 50 years ahead of him and he is 50 years ahead of his ideas. Let me tell him that the grievances which he has enumerated are not new. They were embodied in the 19 points which were raised by the deputation of the Motor Union when they waited upon the Honourable Minister and the Assistant Inspector-General of Police, Traffic. We are dealing with facts and not fiction, and I submit with due deference that we must apply ourselves in all seriousness to the stern realities of this question—which affects the peace of the province and the interests of the Motor Union—in which we are taking a genuine interest and not merely adjournment motion interest. Now let me state at the very outset, as has been indicated by my honourable friend, the Leader on this side, that the Government is fully alive and is sympathetic to the legitimate grievances of the Union of drivers of lorries. We recognise that this industry engages a very large number of our countrymen who have often to discharge their utility service at great personal inconvenience. We cannot forget that in many of our election days our friends the lorry drivers shared many of our worries. I state that this attitude of the Government is no mere lip service or lip sympathy. They have as indicated given notice of a very important measure for the relief of the lorrywalas and on more than one occasion on the floor of this House questions have been answered indicating that the Government will enquire into all cases where legitimate complaints are brought against police constables or even against higher officials in their dealings with motorwalas. That declaration stands. More than that, I submit that on this matter our position is quite clear. We are ready to give every possible help and protection to the owners and drivers of lorries against the undue harassment by police or any official or non-official body. We are also duty bound to ensure that the drivers and lorrywalas are in a fit condition of health to be entrusted with the lives and happiness of thousands of innocent passengers who travel in these lorries. That is the position where we stand.

Let us now address ourselves to the facts of this adjournment motion. My honourable friend the mover of the motion, whose great industry receives our appreciation, stated—and I was surprised to find that he should be responsible for such a statement—that the representatives of the Motor Union laid their grievances before the Minister and the Traffic Assistant Inspector-General of Police but *nothing was done*. Let me state the facts and face

them. On the 2nd November a letter is posted to the Honourable Revenue Minister that these representatives of the Motor Union wish to see him in a deputation on the 4th. The letter is received on the 3rd and forthwith the same day the Honourable Minister tells them, 'I shall be delighted to see you to-morrow'. They come and interview him and the Home Secretary and the Assistant Inspector-General, Traffic, are there. They also see the Assistant Inspector-General, Traffic, separately and in that interview with the Assistant Inspector-General details specifying the 19 points are raised and it is agreed that lest there be any misunderstanding all these points be scheduled and tabulated by the officer concerned and reply sent later with regard to them to the Motor Union. This reply to the 19 points was sent on 22nd November. But my honourable friend, the mover of the motion, says that nothing has been done. Now what is the attitude taken on those 19 points? He will find that 8 of them have been accepted completely or as far as possible. He will find that one of them relates to inspection. It was stated that at the time of inspection the officers of the Motor Union or their representatives should be allowed to be present. That was accepted without demur and they were told that it would even be encouraged. It will be found that five points were kept under consideration and in the covering letter which was sent to the Motor Union on the 22nd November it was stated that the decision on matters under consideration would be communicated to them in the near future. You will find that one of these items relates to frequency of inspections. I hope I am not giving away any official secret when I say that almost all these points are under consideration. They are being sympathetically considered. These are not mere hollow rhetoric. I state this on the basis of facts. But some of these matters under consideration involve change of rules and detailed references to local officers and this is being done. Therefore they could not be attended to forthwith. About one matter it was said that it was premature because it related to some Bill that the Government of India might bring at some stage and they were asked to bring up that point when the actual occasion arose. There were only four points about which it was stated they could not be accepted and two, about which, it was stated, that they would be settled on merits of each case. Now let us examine these grievances which were not accepted to see whether they could be called legitimate. Of the two matters which were reserved to be discussed on merits one was medical inspection by the civil surgeon of lorry drivers. They wanted that this should be dispensed with because it led to extortion of money from lorry wallas. I submit that considering the fact that there have been so many accidents in the course of the last two years—the figures were given by the Honourable Leader—and considering that in 1936 as many as 921 persons were killed or injured and during the first three quarters of the year 1937 as many as 1,221 were killed or injured, I think it is not safe to entrust the lives of thousands of people to these lorry wallas without proper medical examination. Therefore it was said that if there was any extortion in such cases those individual cases would be looked into on their merits, but medical inspection was regarded as a thing which could not be dispensed with. The second point which could not be accepted was this: At the time of renewal of the licences, when there are a certain number of convictions—important convictions—against the lorry wallas, these licences are not renewed. It was stated to the Union that in view of

[Mir Maqbool Mahmood.]

these accidents we could not interfere with the discretion of the district officers. I am sure the House will appreciate that in the interests of the lorry wallas as well as of the public this provision is necessary. Now, Sir, with regard to the two points on which it was said that the rules as they stood could not be changed, the first was that in every case which came before courts we should ensure that at least two independent witnesses came forward on behalf of prosecution. It was said that rules could not over-ride the provisions of the Evidence Act. The second was with regard to summary trials. It seems to be ignored that most of the important cases now come under the Indian Penal Code. In all such cases no summary trial is permissible. Summary trial is only permissible in cases which come under section 5 of the Motor Vehicles Act, in connection with fast driving, etc. If individual cases are brought to the notice of the Government where there has been hardship, I feel confident that they will receive the consideration which they deserve.

Now, Sir, the honourable member who moved the adjournment motion said that lorry strike was due to many of these grievances. I submit that if he would refer to the declaration made by the Motor Union after they had met, he would find what they resolved and declared as the reason of their strike. One is to protest against Motor Taxation Bill about which the lorry wallas did not utter a single word when they approached the Minister and others in November, nor thereafter up-to-date even through a letter. I appeal in all fairness through you to my friends opposite and others concerned to consider whether when even the members of the Union who came in deputation to the Government with their grievances and received a sympathetic reception did not mention at that deputation this point of motor taxation whether it is fair to put forward this point as a reason for the strike. I feel this is abusing the right, within certain limitations of labour to resort to strikes. My honourable friend the Leader on this side of the House has indicated the position in regard to the Taxation Bill. The position is that Government has come to no decision on that point and the Motor Union has been officially informed of this. The position is that the motor taxation schedule like so many others items is under investigation and enquiry by the Sources of Revenue Committee. Even that Committee, I understand, has not come to any decision yet. If the representatives of the Motor Union or any of their friends have any points in this connection, they are free to represent them before this Committee. I am sure they will get opportunities to which they are entitled. If they make any representations to the Government I am sure, the Honourable Minister for Revenue, with his usual sympathy and courtesy will give them due consideration. To resort to strikes on such matters of importance without having first enquired from authoritative quarters about the realities of the case, I submit, is neither fair to the cause nor to the public.

Now, Sir, I would just like to make one further submission. I would like this submission, in all earnestness, to be considered with sympathy and friendliness with which I make it, and it is that many of these members of motor union are known to us personally. We know that they are well meaning people. In this group, as in other groups, unfortunately, however

there are some black sheep. I would appeal to them all that the right to strike, under certain conditions, is a right which belongs to labour organisations. But before they utilize it, it is only fair, as is being done in other countries, that they should ascertain facts. I would request the members of the Union, before they are asked in future to resort to such action, to enquire from their leaders "Have you represented this question to the Government and what is the reply of the Government?" Let it be considered on merits before they decide or precipitate any particular action, involving loss of income to themselves, inconvenience to public, and unnecessary widening of the gulf between them and the Government. Let me assure our friends of lorry wallas that the Government wants to help them as far as possible. Let them not be made a pawn of political party games by interested persons. They know me personally and my sympathies for them. Let them come to me for any reasonable complaint.

There is one point which I shall touch before I conclude. My honourable friend, the mover of the motion said "Look to what is being done in other provinces". I would say that comparisons are odious. Do not ask me as to what is being done in other provinces. I do not wish to criticise other provincial governments, otherwise I could have answered his question by inviting his attention to the fact that in other provinces, under similar circumstances, section 506 is being made non-bailable, and non-cognizable offence under Criminal Law Amendment Act. But I will not say that. I could have told him that section 144 is being freely applied under similar circumstances there, but I will not say that. I could have told him that under similar circumstances there, prosecutions and lathi charges are being resorted to, but I will not say that. What I will certainly tell him is this, and I submit, with due deference, that so long as we sit here in power, it shall be our supreme function to see that no wrong notions of prestige are allowed to stand in the redress of legitimate grievances of public. (*Hear, hear from the Treasury Benches.*) But at the same time, so long as we sit here, we would see, and I am sure the House would also like to see, that no coercion is allowed to make us deflect from the path of duty and fair-play. (*Cheers.*)

**Dr. Gopi Chand Bhargava :** May I ask for one more piece of information from the honourable member who has just sat down ? It is this. He said that 1,200 people were killed or injured owing to accidents of lorry traffic. I want to know whether the drivers' cars or lorries were licensed or unlicensed ? The second thing is that he said that 19 points were raised by the Union. He has disposed of 8 *plus* 6 *plus* 2, that is 16 in all. What have the Government done about the three other points ?

**Minister for Finance :** Which other points ?

**Dr. Gopi Chand Bhargava :** I do not know.

**Mir Maqbool Mahmood :** With regard to 19 points I would say this. Eight have been completely accepted or partially accepted. Five are under consideration. One is premature, which my honourable friend has probably forgotten. Two will be considered on their own merits. Two could not be accepted. With regard to one it was stated that so far as loading or unloading on public roads is concerned, instructions were being issued.

**Dr. Gopi Chand Bhargava :** What about the other information ?

**Mir Maqbool Mahmood :** About killed or injured ? The position is that when any person's licence is taken away or impounded, he is given a receipt. I am not aware at the moment the number of cases in which it happened.

**Shrimati Raghbir Kaur** (Amritsar, Sikh, Women) (*Punjabi*) : Sir, I rise to support the adjournment motion under consideration. Poor lorry drivers and labourers are being crushed under the tyranny of the Government. Most of the lorry drivers are those who have found that no benefit can be derived from the cultivation of land and on this account they have sold their land and implements and purchased lorries. But even this act of theirs has not been liked and encouraged by the capitalists of the province. The drivers in despair on account of the repressive attitude of the Government went on strike and arranged a big procession on the new year day. They wanted to come to the Assembly chamber here in procession to acquaint us of their grievances but the Government by invoking the aid of a cruel law like section 144 made them go back to their places. It means that the present Government do not want to listen to their complaints. It also means that the public has no voice at all and if they make any attempt to bring forward any serious complaint, their attempts are crushed at the very outset with the help of cruel laws. On account of this repressive attitude of the Government, it is absolutely useless to hope for any blessing from them. We observe unemployed youngmen — I should say handsome youths — loitering in streets, bazaars and on river side as well. They have got nothing to do. Whenever I bring these home truths before the Honourable Ministers, I am told that these are not facts. They are lies. Do we exaggerate things ? In this connection, I would like to relate an event to prove to the Honourable Ministers that we never tell lies. I remember it was the 10th instant when we were invited to deliver speeches in connection with the Amritsar Municipal Committee elections. Master Raja Ram and I made speeches. On our way home we found a youngman asleep near a warm oven. His dress was almost worn out. Some other responsible men were also in my company at that time, for instance Ala Singh contractor was with us. They also saw how that sleeping poor youth was dressed in rags. In such hard times our Government should try their utmost to remove this prevailing unemployment in the province.

The prisoners are seriously suffering from pneumonia and tuberculosis in the jails but the officer in charge when asked about them replies in these words ; " Everything is O. K. " and such other words. Our Government is accustomed to say ; " Everything is all right, peasants are very much pleased with us, the crops of zamindars are safe, they have not been damaged by hailstorm. " Either we exaggerate things or they do. People of the province are fully aware of it. Even at this time the public people who are sitting in the galleries and are listening to the speeches of the honourable members of this House can easily understand which benches are showing sympathy for these poor people. I am afraid the honourable ministers are under a misconception. They have deemed it their duty to submit to His Excellency by saying " Ji hazoor ". I implore you to pay heed to our requests. They are at liberty to say " Ji hazoor " outside this House, but so long as they are here they must listen to our complaints.

As far as the atrocities of the police are concerned I would like to point out to the House, how the lorry drivers are treated by the police constables. If the window of a lorry is open, the driver is challaned. If the lorry driver has not paid the police constable he is done with and even if the turban of the driver is not properly tied, the poor fellow is challaned without any hesitation, because he is sure that his every word against the driver would be regarded as true. It looks absurd that every word of the police constable should be considered true. Besides, if the lorry driver has been challaned more than four times, his lorry, the only means of his livelihood, is confiscated and he is heavily fined.

I have told you a few home truths and I want you to pay heed to them or else the ranks of the unemployed will increase. Do you know what that means? An increase in the number of the unemployed will mean an increase in the numbers of revolutionary forces. So long as the Government has friends like you, it does not need to have any enemy. The masses are poor. Help them to find their daily bread. I appeal to you to help the poor. Just as the big fish eat up the small fish, the capitalists want to eat up the poor workers and want to ruin them completely. The Government wishes to help the railways at the expense of the lorry-drivers. I honour and respect Sir Sundar Singh as I would my own father and I beg of him not to tell lies.

**Minister for Revenue :** I have already said that I am not telling lies.

**Shrimati Raghbir Kaur :** This whole system is a lie, this whole administration is based upon lies. You are a liar and we all of us are liars. (*Cheers*). I request you to pay heed to the sufferings of the lorry-drivers. I implore you to listen to their complaints. Do not tyrannise over them by promulgating cruel laws like section 144. It behoves you to take a leaf out of the book of the Ministers in the seven Congress-governed provinces. The Ministers there go about bare-footed to the people to acquaint themselves with their grievances. They are always ready to extend a helping hand to the poor down-trodden people. That is exactly what I want you to do. It is no use promulgating repressive laws like section 144. Drivers of lorries have been very hard hit. Every single lorry is maintaining two people, the driver and the cleaner. Do not deprive them and their families of their daily bread. Give them the help they need. Otherwise they will be driven to despair and this will mean an addition to the ranks of the revolutionary forces in the country. India will thus be plunged into a bloody revolution. Anyway this will redound to our benefit; for, it will help us to drive out the present administration which is eating into the vitals of the body politic.

**Mr. S. P. Singha** (East Central Punjab, Indian Christian) : Mr. Speaker, I wish to take part in this debate merely to make an appeal to devise a method which would ensure that the time of the House is not wasted by unnecessary adjournment motions.

**An Honourable Member :** This is your maiden speech.

**Mr. S. P. Singha :** I do not think so. But you may think so, if it will save me from interruptions. To-day I was very happy when I read this adjournment motion because I thought at last we have got a motion in which

[Mr. S. P. Singha.]

we could join hands with our friends of the Opposition. (*Hear, hear from the Opposition Benches*). But, Sir, after listening to the speech of the honourable mover of the motion, I realised that the English language does not necessarily have one meaning. It can be very ambiguous. I thought that the House was to be adjourned to make the Government realise that they owe a duty to the public and not to the lorry-wallas only. The Government was not handling properly those lorry-wallas who struck work and made it inconvenient for the whole province and their rules do not adequately provide for stopping such strikes. As far as the reason for the strike is concerned, that complaint has been properly exploded by the speech of the Honourable the Leader of the House and especially by my friend, Mir Maqbool Mahmood. The real purpose appears to be that this motion may be made an occasion for criticising Government in certain irrelevant aspects. I can assure my friends there that there are large numbers on these benches here who have fullest sympathy with these lorry drivers. We are not blind to the *zabardasti* of the traffic police. No system is perfect and we are fully aware of the weak links of our police. But the question is whether steps are being taken by the present Government to improve matters or not. (*"Hear, hear" from the Government Benches*). Sardar Sampuran Singh has to-day quoted an example of his conduct which, if followed by other members of this House and members of the public, would speedily stop the evil which exists to-day in the police. Sardar Sampuran Singh made the lorry-wallas charge the police men. Of course, he did the right thing. But he did not go far enough. He did not make a report against the policemen who wanted a free ride. Had he reported he would have eliminated the fear of reprisals to which he has referred in his speech and furnished the department an opportunity to improve matters. It is no use complaining in this House without co-operating with the police administration by reporting such incidents. It is only by co-operation from the public that this evil can disappear. We blame Government, but it is because of us that these and other evils exist, because after all, these policemen are our own brethren. The lorry-wallas give them free rides not in order to escape their *zulum* but in order to get concessions from those people. (*Hear, hear*). A lorry-walla knows it fully well that he gives a policeman a free ride not so much to save himself from a false challan, but in the hope that if he does give him free rides he will not challan him when he is in fault.

Now, Sir, as long as we do not have co-operation from the public, Government is powerless — the best of the Governments will remain powerless. A minister cannot alone remedy things in a moment. It is our own duty to help Government to carry on the Government. If the benches across co-operate with us, I think we will be able to improve the police.

My friend, Mian Muhammad Iftikhar-ud-Din has also utilised this opportunity to bring in the question of motor versus railway. That is not a point under consideration. But I would assure him that if that question was considered here he would not find people lacking in this part of the House who do have sympathy with motor drivers and motor owners and who do realise the benefits which accrue to the province from the motor transport system. But that does not mean that we can give a free licence

to motor drivers to kill people. It is said that the days of miracles are over, but when one looks at these lorries one realises that the age of miracles has not yet passed. It is a wonder that only a few thousand people are killed. It is a wonder why more people are not killed due to the way these lorries are crowded and run. It was only day before yesterday that I had a friend whom I met in a state of collapse. He was coming from Kasur and he had witnessed an accident on the way. A youngman, who was newly married and was coming from his home, was killed under the lorry. My friend had seen the widow and the aged mother crying. These instances can be multiplied. All of you know the number of accidents that take place. So I do not think that it is the desire of those opposite that because these drivers or the Motor Union members are labourers, therefore we should have no law for them. They should have every sympathy from the Government. I am sure — I cannot speak for the official benches but I can speak for a large number of people on this side who are with that Government, because we believe that it is a very reasonable Government and because it is ever ready to listen to suggestions — that if any suggestion were made for the real improvement of the motor traffic, it would get very sympathetic consideration. I have not been able to follow my friend, Mian Iftikhar-ud-Din, who said that this was a home industry. He also said that this may be called a cottage industry of the Punjab. I would call it a middleman's trade in the Punjab, because after all the lorries are not manufactured in the Punjab and it is the middleman who makes the profit. Sir, my real purpose in making this speech was that the Leader of the Opposition might come to an understanding with the Leader of the House, the Leader of the Government — so that these two may discuss such matters among themselves before an adjournment motion is tabled. In this way the time of the House would not be wasted as it has been in this session. I am sure if Sardar Hari Singh had spoken beforehand to the Minister in charge, he would have come to know that Government was not introducing a Bill of the kind for which the strike had been organised and thus there would have been no need for an adjournment motion.

**Mr. Speaker :** Does the honourable mover of the motion wish to give a reply? (*Voices : Question may now be put.*)

**Mr. Speaker :** The question is :—

*That the question be now put.*

*The motion was carried.*

**Mr. Speaker :** The question is :—

*That the Assembly do now stand adjourned.*

*The Assembly divided : Ayes 29 ; Noes 88.*

#### AYES.

Ajit Singh, Sardar.  
Baldev Singh, Sardar  
Bhagat Ram Choda, Lala.  
Bhagat Ram Sharma, Pandit.  
Bhim Sen Sachar, Lala.  
Chanan Singh, Sardar.

Deshbandhu Gupta, Lala.  
Gopi Chand Bhargava, Dr.  
Hari Lal, Munshi.  
Hari Singh, Sardar.  
Harjab Singh, Sardar.  
Kabul Singh, Master.

Kapoor Singh, Sardar.  
Kartar Singh, Chaudhri.  
Kartar Singh, Sardar.  
Kishan Singh, Sardar.  
Muhammad Hassan, Chaudhri.  
Muhammad Itikhar-ud-Din, Mian.  
Mula Singh, Sardar.  
Muni Lal Kalra, Pandit.  
Partab Singh, Sardar.

Prem Singh, Mahant.  
Raghubir Kaur, Shrimati.  
Rur Singh, Sardar.  
Saif-ud-Din Kitchlew, Dr.  
Sampuran Singh, Sardar.  
Sant Ram, Seth, Dr.  
Sohan Singh Josh, Sardar.  
Sudarshan, Lala.

#### NOES.

Abdul Haye, The Honourable Mian.  
Abdul Rab, Mian.  
Abdul Rahim, Chaudhri (Gurdaspur).  
Abdul Rahim, Chaudhri (Gurgaon).  
Afzaalali Hasnie, Sayad.  
Ahmad Yar Khan, Chaudhri.  
Ali Akbar, Chaudhri.  
Amjad Ali Shah, Sayad.  
Anant Ram, Chaudhri.  
Ashiq Hussain, Captain.  
Badar-Mohy-ud-Din Qadri, Mian.  
Balwant Singh, Sardar.  
Bhagwant Singh, Rai.  
Binda Saran, Rai Bahadur.  
Chhotu Ram, The Honourable Chaudhri Sir.  
Dasaundha Singh, Sardar.  
Faqir Hussain Khan, Chaudhri.  
Fateh Jang Singh, 2nd Lt. Bhai.  
Fateh Khan, Raja.  
Fateh Muhammad, Mian.  
Fazl Ali, Khan Bahadur Nawab Chaudhri.  
Fazal Din, Khan Sahib Chaudhri.  
Fazal Karim Bakhsh, Mian.  
Few, Mr. E.  
Ghazanfar Ali Khan, Raja.  
Ghulam Mohy-ud-Din, Maulvi.  
Ghulam Qadir Khan, Khan Bahadur.  
Ghulam Rasul, Chaudhri.  
Gopal Das, Rai Sahib Lala.  
Gopal Singh (American), Sardar.  
Gurbachan Singh, Sardar Sahib Sardar.  
Habib Ullah Khan, Malik.  
Haibat Khan Dahi, Khan.  
Hans Raj, Bhagat.

Jagjit Singh Man, Sardar.  
Jagjit Singh Bedi, Tikka.  
Jahan Ara Shah Nawaz, Mrs.  
Jalal-ud-Din Amber, Chaudhri.  
Joginder Singh Man, Sardar.  
Jugal Kishore, Chaudhri.  
Karamat Ali, Shaikh.  
Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major.  
Kishan Das, Seth.  
Manohar Lal, The Honourable Mr.  
Maqbool Mahmood, Mir.  
Muhammad Akram Khan, Khan Bahadur Raja.  
Muhammad Ashraf, Chaudhri.  
Muhammad Faiyaz Ali Khan, Nawabzada.  
Muhammad Hayat Khan Noon, Nawab Malik Sir.  
Muhammad Hussain, Chaudhri.  
Muhammad Nawaz Khan, Major Sardar.  
Muhammad Shafi Ali Khan, Khan Sahib Chaudhri.  
Muhammad Wilayat Hussain Jee-lani, Makhdumzada Haji Sayad.  
Muhammad Yasin Khan, Chaudhri.  
Muhammad Yusuf Khan, Khan.  
Mushtaq Ahmad Gurmani, Khan Bahadur Mian.  
Muzaffar Ali Khan Qazilbash, Sardar.  
Muzaffar Khan, Khan Bahadur Captain Malik.  
Muzaffar Khan, Khan Bahadur Nawab.  
Narendra Nath, Diwan Bahadur Raja.  
Nasir-ud-Din, Chaudhri.

Nasir-ud-Din Shah, Pir.	Shah Nawaz Khan, Nawab Khan.
Naunihal Singh Mann, Lieutenant Sardar.	Sham Lal, Rai Bahadur Chaudhri.
Nawazish Ali Shah, Sayed.	Singha, Mr. S. P.
Nurullah, Mian.	Sita Ram, Lala.
Pir Muhammad, Khan Sahib Chau- dhri.	Sumer Singh, Chaudhri.
Pritam Singh Siddhu, Sardar.	Sundar Singh Majithia, The Honour- able Dr. Sir.
Rai, Mr. C.	Suraj Mal, Chaudhri.
Ram Sarup, Chaudhri.	Tara Singh, Sardar.
Ranpat, Chaudhri.	Tikka Ram, Chaudhri.
Riasat Ali, Khan Bahadur Chaudhri.	Ujjal Singh, Sardar Sahib Sardar.
Ripudaman Singh, Thakur.	Umar Hayat Khan, Chaudhri.

*The Assembly then adjourned till 2 P. M. on Monday, 17th January, 1938.*

1917

1. The first of the three main branches of the  
theology of the church is the doctrine of God.

2. The second of the three main branches of the

theology of the church is the doctrine of man.

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1917

1. The first of the three main branches of the  
theology of the church is the doctrine of God.

# PUNJAB LEGISLATIVE ASSEMBLY.

1st SESSION OF THE 1st PUNJAB LEGISLATIVE ASSEMBLY.

Monday, 17th January, 1938.

*The Assembly met at the Council Chamber at 2 P. M. of the clock. Mr. Speaker in the chair.*

## QUESTIONS BY PARLIAMENTARY SECRETARIES.

**Mr. Speaker :** The other day a Parliamentary Secretary, Mir Maqbool Mahmood, put a question to a Minister which was duly answered. A point of order was raised whether a Parliamentary Secretary was in order to ask questions. I reserved my ruling. I have considered the matter and come to the conclusion that a Parliamentary Secretary cannot ask questions or supplementary questions. (*Hear, hear and applause from the Opposition benches.*)

## STARRED QUESTIONS AND ANSWERS.

### POLITICAL PRISONERS.

**\*992. Chaudhri Muhammad Hasan :** Will the Honourable Finance Minister be pleased to state—

- (a) the period of imprisonment already undergone by each of the political prisoners, at present in the various jails of the province ;
- (b) reasons why the cases of political prisoners are not considered for conditional release ;
- (c) the number of political prisoners who are treated as A or B class prisoners ;
- (d) reasons why all political prisoners irrespective of their social status are not treated as B class prisoners ;
- (e) the terms of imprisonment of each of the detenus in this province, with the allowance, if any, granted to him and the nature of the accusations against him ?

**The Honourable Mr. Manohar Lal :** (a), (b), (c) and (d) It will be necessary in order to answer this question to know exactly what the honourable member means by the term 'political prisoners'.

(e) The honourable member is requested to define what he means by 'detenus'. The honourable member will note, for instance, that there are no detenus in this province in the sense in which the term is usually employed in Bengal.

**Chaudhri Muhammad Hasan :** 'Political prisoner' means a man who has been convicted for a political offence.

**Minister :** I said in my answer that if the honourable member would define exactly what he means by this term, may be Lahore Conspiracy Case prisoners or any other class of prisoners—the information will be readily made available.

**Sardar Sohan Singh Josh :** May I enquire whether Sardar Teja Singh Swatantar, a member of the Assembly, is not a detenu?

**Minister :** Teja Singh Swatantar is under restraint under Regulation III of 1818. If the honourable member wishes thus to define the term "detenu" I shall be glad to give him the answer.

**Diwan Chaman Lall :** May I ask whether the Honourable Minister has any difficulty in understanding the significance of the words "political prisoner"?

**Minister :** Yes, considerable difficulty.

**Diwan Chaman Lall :** May I ask the Honourable Minister whether he is aware that section 124-A prisoners are political prisoners and has he any difficulty in understanding the significance of these words in question with reference to section 124-A?

**Minister :** The question as framed by the honourable member who put this question, I thought, was much wider than merely a reference to section 124-A. If he confines himself to prisoners who have been convicted under that section, the information will be readily available.

**Diwan Chaman Lall :** Has the Honourable Minister any difficulty in understanding the significance of that particular term in reference to Criminal Law Amendment Act, Regulation III of 1818, or any other such repressive legislation?

**Minister :** The difficulty comes in when you say "under any such repressive legislation" and the wide manner in which the term is used. The term "political prisoner" is not a term of legal art, if I may use that expression. The information is all readily available. I am not trying to take shelter behind any technicality. The honourable member who is asking the question has only to state as to what classes of prisoners he includes in this term and the information would be forthwith placed at his disposal.

**Diwan Chaman Lall :** Is it difficult for the Honourable Minister to give the answer in reference to certain categories well known to him?

**Minister :** No categories are definitely known to me.

**Diwan Chaman Lall :** May I take it that even section 124-A is not known to him?

**Minister :** If the information had been confined to section 124-A prisoners, I presume it would not have satisfied the honourable questioner.

**Lala Duni Chand :** Will the Honourable Minister accept the definition if it is given to him on the floor of this House and on that basis answer the question?

**Mr. Speaker :** The next question.

## INSPECTOR-GENERAL OF CIVIL HOSPITALS.

**\*993. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister of Education be pleased to state—

(a) whether it is a fact that Lieutenant-Colonel N. S. Sodhi and Lieutenant-Colonel D. H. Rai, were senior in service to the present Inspector-General of Civil Hospitals;

(b) if so, reasons why either of them was not appointed as the Inspector-General of Hospitals in the Punjab, and why preference was given to the present Inspector-General of Hospitals?

**The Honourable Mian Abdul Haye :** (a) Yes.

(b) Nomination to the post of Inspector-General of Civil Hospitals is made by the Governor-General in Council on the recommendations of the Selection Board constituted for the purpose. In any case Lieutenant-Colonel Sodhi and Lieutenant-Colonel Rai were already holding the posts of Inspector-General of Civil Hospitals in other provinces when the post of Inspector-General of Civil Hospitals in the Punjab became permanently vacant.

**Lieutenant Sodhi Harnam Singh :** Is it a fact that the Government of India recommended Lieutenant-Colonel Sodhi to be appointed Inspector-General of Hospitals in the Punjab?

**Minister :** No. The Government of India did not recommend his name. The Punjab Government, however, considered this matter and came to the conclusion that as Lieutenant-Colonel Sodhi would not be available for the full term, they need not ask for him.

**Diwan Chaman Lall :** Do I take it that in those circumstances the Punjab Government had any authority to make this appointment?

**Minister :** The appointment is made by the Governor-General in Council as I have already stated. The usual procedure is that a panel of three names is sent to the Punjab Government and they are asked to state their order of preference.

**Diwan Chaman Lall :** Did the Punjab Government state their order of preference in this case?

**Minister :** Yes.

**Diwan Chaman Lall :** What was their order of preference?

**Minister :** Colonel Jolly, whom we have got, was given the first place.

**Diwan Chaman Lall :** Is that because Colonel Jolly was a better or more senior man than the other two?

**Minister :** There were three names. All of them were Europeans and I thought the first was a jolly good fellow.

**Diwan Chaman Lall :** May I ask whether the three names recommended were recommended by the Governor-General or they were chosen by the Punjab Government?

**Minister :** The panel was sent to the Punjab Government by the Governor-General in Council.

**Diwan Chaman Lall :** May I take it that the position is that the Punjab Government have no voice in selecting the panel ?

**Minister :** No.

**Diwan Chaman Lall :** Under what authority or law ?

**Minister :** Under regulations made under Rule 12 of the Devolution Rules.

**Diwan Chaman Lall :** Is the honourable member looking into the constitutional position arising out of this particular matter ?

**Mr. Speaker :** The next question.

#### ELECTRIC CURRENT TO DELHI FROM MANDI HYDRO-ELECTRIC SCHEME.

**\*994. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister of Public Works be pleased to state whether it is a fact that there is a proposal before the Punjab Government that electricity may be supplied to Delhi from the Uhl River Hydro-Electric Plant ; if so, the circumstances under which this current is intended to be supplied to a place outside this province ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** There is no such proposal at present. It was considered and dropped.

**Sardar Sahib Sardar Gurbachan Singh :** Is it a fact that the Delhi Corporation refused to take the supply from the Mandi Hydro-Electric Scheme ?

**Minister :** We considered their request and dropped it.

**Sardar Sahib Sardar Gurbachan Singh :** But did they refuse to take the supply ?

**Minister :** They wanted to have the supply though at rates which we could not accept.

**Sardar Sahib Sardar Gurbachan Singh :** Did you offer to supply at the rate of three pice per unit and they refused to take it ?

**Minister :** We dropped that idea of supplying them.

#### ELECTRICITY FOR AGRICULTURAL PURPOSES.

**\*995. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister of Public Works be pleased to state—

- (a) when more electricity will be supplied for agricultural purposes in the Punjab from the Uhl River Hydro-Electric Plant ;
- (b) when the 2nd part of this scheme will be taken in hand, and the time required to complete it ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) No limit having been placed on the supply of energy for agricultural purposes the question of making more energy available does not arise. Supply is given, where demanded, provided it is economic to do so.

(b) This is not yet known. Alternative methods of augmenting or supplementing the supply of energy available from the Uhl River Scheme are under investigation.

LOAN FLOATED BY PUNJAB GOVERNMENT.

**\*996. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister of Finance be pleased to state why the Punjab Government floated a loan recently and how this money will be spent ?

**The Honourable Mr. Manohar Lal :** The loan was floated for the conversion of the Punjab Bonds, 1937, which were due to mature on the 16th October, 1937. The amount of these bonds outstanding on the 1st April, 1937, was Rs. 84,97,800. A loan of Rs. 1 crore was notified but the actual allotment to subscribers amounted to Rs. 1,04,14,400. After redeeming the Punjab Bonds, 1937, partly in conversion to the new loan and partly in cash, the net cash balance amounted to Rs. 19,76,600. This balance will be utilised for financing capital works such as Haveli Project and Hydro-Electric schemes or for financing loans from the Provincial Loans Account for which an application of Rs. 14 lakhs from the Administrator, Lahore Municipality, is pending.

REVENUE ASSISTANT HOSHIARPUR'S SPEECH.

**\*997. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that the Revenue Assistant, Hoshiarpur, addressed a gathering of villagers at village Machian, tahsil Hoshiarpur, on 28th October last and in the course of his speech used the following expressions—

“The Punjab Government belongs to the zamindars. All but one Minister of the Punjab are jats or zamindars. Unfortunately one *bania* Minister Mr. Manohar Lal has been included in the Cabinet. Do not follow the Congress. It is against zamindars' interests. Jowahar Lal, the Congress President, is a non-zamindar. He has never urged the removal of indebtedness.”

if so, whether he was within his rights to use those expressions against the Congress which forms the Opposition Party in the Punjab Legislative Assembly ;

(b) if the answer to (a) above be in the negative, what was the exact trend of his speech ?

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

(b) The Revenue Assistant spoke to the villagers on matters affecting rural uplift—consolidation of holdings, co-operation, public health, watbandi, education, good seed and cattle, etc. He also had a talk with them regarding the futility of litigation, unemployment and indebtedness and suggested what zamindars should do to get rid of these evils. When questioned as to what the present Government was doing, the Revenue Assistant told them

[Parliamentary Secretary.]

what was being done and what was under contemplation and also said that the Government consisted of their own representatives, all of whom were zamindars, with the exception of one who was a non-zamindar.

**Sardar Hari Singh :** May I ask the honourable member if the reply given on the floor of the House is based merely on the statement made by the officer concerned? Who conducted the enquiry and which officer of Government enquired into the allegations made in the question?

**Parliamentary Secretary :** I want notice for that question.

**Sardar Hari Singh :** May I know if, in view of the correctness of the allegations made in the question, the honourable member will be prepared to institute an independent enquiry into the matter?

**Diwan Chaman Lall :** May I ask the honourable member as to what authority he had for making the statement which he did make, unless he was certain of the source of information with regard to the facts of the statement?

**Pandit Muni Lal Kalra :** May I ask the honourable member once again whether he was certain of the correctness of the source of his information or not, when he made the statement? Does he deny to give his source of information?

**Parliamentary Secretary :** I have already stated that the information was received from local authorities and it has been mentioned in my reply. If honourable members want any further information, I want notice for that.

**Diwan Chaman Lall :** Was the Revenue Assistant himself sure about the correctness of the allegations made in this question?

**Parliamentary Secretary :** Yes.

**Diwan Chaman Lall :** What was his reply?

**Parliamentary Secretary :** The reply which I gave just now.

**Diwan Chaman Lall :** Was the honourable member satisfied with the reply in view of the seriousness of the allegations?

**Sardar Hari Singh :** Was the enquiry made from the people present at the meeting? Who made the enquiry?

**Parliamentary Secretary :** I have already stated that if the notice for that is given, I will go into the whole question.

**Diwan Chaman Lall :** Then why did the honourable member make a statement about the allegations contained in this question?

**Pandit Muni Lal Kalra :** Were any notes taken of the speech made by the Revenue Assistant referred to in this question?

**Parliamentary Secretary :** I am not in a position to give this information off-hand. If the honourable member gives me notice for that, I shall go into the details.

## INSTRUCTIONS TO GOVERNMENT SERVANTS.

**\*998. Sardar Hari Singh :** Will the Honourable Premier be pleased to state whether instructions have been issued to Government servants that they should remain neutral in political controversies between the Government and the opposition and not help one or the other, whether in office or out of office, by means of public propaganda or otherwise ; if not, when does the Government propose to issue such instructions ?

**Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) :** No instructions have been issued in the sense indicated ; nor do Government propose to issue any such instructions. While Government servants have no concern with party politics as such, it is of course their duty to carry out the declared policy of the Government whatever that Government may be.

**Sardar Hari Singh :** Is the honourable member completely unaware that certain officials are carrying on pro-Unionist and anti-Congress propaganda in the province ?

**Parliamentary Secretary :** No such complaint has come to our notice.

**Sardar Hari Singh :** Is the honourable member prepared to institute an enquiry to find whether there are such complaints or not ?

**Parliamentary Secretary :** When a complaint is made, an enquiry will be instituted.

**Sardar Hari Singh :** Am I to understand that the services are going to be " Unionised " ?

**Parliamentary Secretary :** We do not follow the Congress.

**Pandit Muni Lal Kalra :** Is the policy of the Unionist Party and that of the Government synonymous ?

**Parliamentary Secretary :** That does not arise ; but I have already stated that their duty is to carry out the declared policy of the Government.

**Pandit Muni Lal Kalra :** Is the policy of the Government equivalent to the policy of the Unionist Party ?

**Parliamentary Secretary :** That is not a supplementary question.

**Lala Bhim Sen Sachar :** On a point of order, Sir. Is the honourable member within his rights in saying that it is not a supplementary question ?

**Mr. Speaker :** He can say so ; but the final decision rests with the Chair.

**Sardar Hari Singh :** Will the honourable member be prepared to state whether, in view of the introduction of party system Government in this province, instructions to Government servants will be issued or not ?

**Parliamentary Secretary :** They must carry out the policy of Government.

**Diwan Chaman Lal :** Will the action of making such propaganda go against the Congress ?

**Parliamentary Secretary :** It is not clear what he means.

## RECOMMENDATIONS OF THE RURAL CONFERENCE HELD AT AMBALA.

**\*999. Lala Duni Chand :** Will the Honourable Premier be pleased to state the action, if any, taken by the Government on the requests and recommendations made recently by the Rural Conference held in Ambala district regarding the following matters :—

- (a) removal of corruption and mal-administration from different Government departments in the Ambala district ;
- (b) payment of chaukidars from Government treasury and not from the money levied from the inhabitants of villages ;
- (c) requisition of the services of sub-inspectors of police by the Honourable Chaudhri Sir Chhotu Ram for his political propaganda ?

**Parliamentary Secretary (Mir Maqbool Mahmood) :** It is not clear to what conference the honourable member refers.

**Lala Duni Chand :** Has the honourable Secretary read the question ?

**Parliamentary Secretary :** Yes.

**Lala Duni Chand :** I draw his attention to the question again. It is as follows :—

“ Will the Honourable Premier be pleased to state the action, if any, taken by the Government on the requests and recommendations made recently by the Rural Conference held in Ambala district regarding the following matters.”

The honourable member must be aware of the date of this conference stated in the question. What difficulty did the honourable member have in finding out any such resolution or seeing the proceedings of such a conference ?

**Parliamentary Secretary :** If the honourable member gives full details of the conference and satisfies me which conference he is referring to, I am sure that the fullest possible courtesy and consideration will be paid to his question. But since it is not definite, I am unable to give any reply.

**Lala Duni Chand :** Does not my question show that it is perfectly definite ?

**Mr. Speaker :** I think it does not. The date of the conference ought to be given.

**Lala Duni Chand :** I would request the Honourable Speaker to pay a little attention to what I say. If I ask a question whether the Rural Conference, which was held in a particular district, sent any resolution to the Government, is it not definite ?

**Mr. Speaker :** If more than one conference was held, what then

RECOMMENDATIONS OF THE RURAL CONFERENCE HELD AT AMBALA.

**\*1000. Lala Duni Chand :** Will the Honourable Minister for Revenue be pleased to state the action, if any, taken by the Government on the requests and recommendations made recently by the Rural Conference held in Ambala district regarding the following matters :—

- (a) reduction of land revenue ;
- (b) abolition of periodical assessments ;
- (c) devastation resulting from the floods of Tangari nadi in villages within an area of five miles from Ambala cantonment ;
- (d) appointments of lambardars, sufedposhes and zaildars by election ;
- (e) requisition of the services of tahsildars, naib-tahsildars, zaildars, sufedposhes and lambardars by the Honourable Chaudhri Sir Chhotu Ram for his political propaganda ?

**The Honourable Dr. Sir Sundar Singh Majithia :** Government has no information regarding the Rural Conference stated to have been held in the Ambala district and no requests and recommendations have been received in the sense indicated.

RECOMMENDATIONS OF THE RURAL CONFERENCE HELD AT AMBALA.

**\*1001. Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state the action, if any, taken by the Government on the requests and recommendations made recently by the Rural Conference, held in Ambala district regarding the following matters :—

- (a) the disgraceful condition of roads in Ambala district particularly the road between Kharar and Rupar which has virtually ceased to exist ;
- (b) favouritism shown by the District Board, Ambala, in the matter of giving contracts ;
- (c) misuse of public money by the District Board on the occasion of fairs ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) The Rupar-Kharar-Panchkula (Chandigarh) roads have since been taken over by the Public Works Department for reconditioning, and it is hoped to renovate these roads by the end of the next year.

(b) No favouritism is shown in the matter of giving contracts, as tenders are always invited in every case.

(c) No misuse of public money is made by the Board on the occasion of fairs. The money is spent by the members in charge of the fairs, under the orders of the Chairman, and papers regarding expenditure are carefully checked by the Board and also at the time of the annual Audit.

**Pandit Muni Lal Kalia :** In view of the fact that questions Nos. 999, 1000 and 1001 relate to the same rural conference, why is then the reply to one of them being withheld ?

**Minister :** The question is about roads. The conference was only a meeting of a few Congress members.

**Pandit Muni Lal Kalia :** If that was a conference held by a few Congress workers, then the same is applicable with regard to the answer which has been withheld by the Honourable Premier.

**Minister :** No record is kept of such meetings. I only came to know of it by chance.

#### NOMINATIONS TO DISTRICT BOARD, LUDHIANA.

**\*1002. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the qualifications required for being recommended by the Deputy Commissioner of a district and the Commissioner of a Division for nomination to a district board ;
- (b) whether it is a fact that no tenant has ever been recommended by the Deputy Commissioner of Ludhiana for nomination to the district board, Ludhiana ;
- (c) the number and nature of resolutions moved by the nominated members of the District Board, Ludhiana, during the last year ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) No qualifications have been laid down by Government.

(b) No person has been so recommended on the grounds of his being a tenant.

(c) Two resolutions—

- (1) to thank Sardar Sahib Bawa Nanak Singh for safeguarding the rights of the depressed classes by employing one of their men in the Board's service ; and
- (2) to reserve at least five per cent. of the Board's income for pavement of streets and drains of the depressed classes in villages.

**Chaudhri Muhammad Hasan :** Does not the Honourable Member think that tenants having small holdings should have a right of vote in the district board elections ?

**Minister :** They are ordinary voters. There is no necessity for their separate representation.

#### EXECUTIVE OFFICER, LUDHIANA MUNICIPAL COMMITTEE.

**\*1003. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the pay of the present executive officer of the Ludhiana municipal committee ;
- (b) the pay of the predecessor of the present executive officer ;

- (c) whether it is a fact that the present executive officer himself remarked in the last budget that his own pay was a heavy burden on municipal funds ;
- (d) if the answer to (c) above be in the affirmative, whether the Government intends to appoint an officer whose pay may not be a burden on the municipal committee ;
- (e) the annual income of the Ludhiana municipal committee and its expenditure ;
- (f) the pays of the municipal executive officer and the secretary of Ludhiana municipality, respectively ;
- (g) whether it is a fact that conveyance allowance is also given to both the officers mentioned in (f) above ; if so, the amount of the conveyance allowance granted to each of them ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) The pay of the present Executive Officer is Rs. 680 per mensem *plus* a deputation allowance of Rs. 150 per mensem.

(b) His pay was Rs. 300 per mensem *plus* conveyance allowance of Rs. 87-8-0 per mensem.

(c) Yes.

(d) Not at present ;

(e) The income and expenditure for the year 1936-37, is Rs. 3,57,048 and Rs. 3,89,964, respectively.

(f) The pay of the Executive Officer is given in part (a). The Secretary is in the grade of Rs. 150—5—200.

(g) No. Only the Executive Officer draws Rs. 40 per mensem as conveyance allowance.

**Pandit Muni Lal Kalia :** Has the financial condition of the Municipal Committee, Ludhiana, deteriorated since the appointment of the present incumbent to the post of Executive Officer ?

**Minister :** I do not think it arises out of this question.

#### LOSS TO CROPS IN GUJRANWALA DISTRICT, ETC.

**\*1004. Sardar Jogindar Singh Man :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether he is aware of the loss to the crops by the recent hail and duststorm in tahsil Wazirabad, Naushehra Virkan, and some other villages in Gujranwala district, and tahsil Sheikhpura of the Sheikhpura district ;
- (b) whether the Government is prepared to consider the necessity of granting relief to the zamindars by remitting the entire land revenue for the crops that have been damaged ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) Remissions are being given under the Kharaba rules in areas subject to fluctuating assessment. The question of remission of land revenue in areas under fixed assessment in the Gujranwala district is under consideration with the local officers.

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BREACH IN THE CANAL NEAR VILLAGE GOANDLANWALA.

**\*1005. Sardar Jogindar Singh Man :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that a breach occurred in the canal near village Goandlanwala in Gujranwala district ;
- (b) whether it is a fact that a *tawan* has been imposed on the villagers ;
- (c) whether it is a fact that the crops of agriculturists suffered a great loss on account of this breach ;
- (d) whether the Government is satisfied that the *tawan* was rightly imposed ; if not, what steps they intend to take in the matter ;
- (e) whether he is prepared to grant compensation to the cultivators whose crops were destroyed owing to this breach ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) No. A deliberate cut was made in the Canal bank by zamindars.

(b) Yes.

(c) No. There were no crops at the time of the cut, and the water from it was used to prepare land for rice.

(d) The Canal Act gives power for trial of such cases only to the divisional officers. The appeal lies to the Commissioner of the division.

(e) Does not arise as per (c) above.

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MANDI AT VILLAGE NAUSHEHRA VIRKAN.

**\*1006. Sardar Jogindar Singh Man :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the nearest mandi to village Naushehra Virkan in Gujranwala district ;
- (b) whether in view of the inconvenient distance of the Mandi from Naushehra Virkan and other villages in its vicinity Government intends to establish a mandi at Naushehra Virkan ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Kamoki, about 15 miles from Naushehra Virkan.

(b) At present there is no proposal to establish a Mandi at Naushehra Virkan.

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ROAD FROM SHEIKHUPURA TO GUJRANWALA.

**\*1007. Sardar Jogindar Singh Man :** Will the Honourable Minister of Public Works be pleased to state—

(a) whether the road from Sheikhpura to Gujranwala is a kacha road ;

(b) whether he is aware of the fact that traffic is increasing on this road ;

(c) whether it is a fact that important and prosperous villages which send their produce out lie on this road ;

(d) whether Government intend to take immediate steps to make it a metalled road ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) Yes.

(b) Yes, but not rapidly.

(c) Yes.

(d) No. Because there are several other more important schemes which will be taken up first.

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LOSS TO RICE CROPS IN SHEIKHUPURA DISTRICT.

**\*1008. Sardar Jogindar Singh Man :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that rice crops in Shahdara tahsil of Sheikhpura district has suffered considerable loss this year ; if so, whether the Government intends granting any relief ; and if so, what kind of relief is intended to be given ?

**The Honourable Dr. Sir Sundar Singh Majithia :** Yes. Relief is being given in the shape of remissions of land revenue and *abiana* under the Kharaba rules.

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DAMAGE BY WATERLOGGING IN TAHSIL PHALIA.

**\*1009. Chaudhri Ahmad Yar Khan :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether the Government is aware of the fact that considerable area of land and a number of buildings have been damaged on account of waterlogging in Chak No. 22, Bahawal, chak No. 21 Chot, Kuthiala Khurd, Shimari, Mian Gindal, Wariat,

[Ch. Ahmad Yar Khan.]

Hardo-Rerka, Mamdana Baryar and Chhauni Hasham in tahsil Phalia, district Gujrat; if so, measures taken by the Government in this connection;

(b) whether any scheme for constructing a drainage in this area to stop further damage by waterlogging has been prepared, if so when it is expected to be put into operation; and what its cost will be;

(c) the estimate of loss caused by waterlogging in this area; (i) regarding buildings and (ii) cultivable land;

(d) whether the Government proposes to pay compensation for the loss mentioned in (a) above; if so, when; if not, why?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Government is aware that there has been some damage in the area of the villages mentioned. Only in Miana Gindal have buildings been affected.

(b) The following drains are under consideration to serve the area under discussion :—

				Approximate cost.
				Rs.
(i) Chot Drain	..	..	..	37,000
(ii) Branch of the Faqirian Wan Drain	..	..	..	65,000
(iii) Branch to the Rerka Drain	..	..	..	7,328
(iv) Chak Alam Drain	..	..	..	4,000

Items (i) and (iv) are to be constructed in 1938-39 and the other drains in 1939-40, or subsequent years.

(c) Government has no estimate of damage in regard to buildings. The area waterlogged is believed to amount to 350 acres mainly "banjar."

(d) Government does not propose to pay compensation.

#### WATERLOGGING IN HARDO RERKA, TAHSIL FAZILKA.

**\*1010. Chaudhri Ahmad Yar Khan :** Will the Honourable Minister for Revenue be pleased to state—

(a) when the drainage to stop waterlogging in the area of Hardo Rerka in the Phalia tahsil was constructed;

(b) whether by the construction of the drainage the waterlogging trouble has ceased in the area mentioned in (a) above; if not, reasons for the same and the steps that Government intends to take to stop it effectively?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) 1933-34.

(b) Conditions have improved as a result of the construction of the Rerka Drain. The question of further improvements to the drain depends upon funds becoming available.

## MURDERS IN ROHTAK, HISSAR, GURGAON AND KARNAL DISTRICTS.

**\*1011. Pandit Shri Ram Sharma :** Will the Honourable Finance Minister be pleased to state---

- (a) the number of murders committed yearly in the Rohtak, Hissar, Gurgaon and Karnal districts, respectively, during the years 1934-35, 1935-36 and 1936-37 ;
- (b) the number of challans and convictions in respect of these cases of murders ;
- (c) the number of cases in which the accused were not challaned or were acquitted ;
- (d) the ilaqas with their police stations among these four districts which show a larger number of murders according to the statistics ?

**The Honourable Mr. Manohar Lal :** A statement containing the information required is laid on the table.

[Finance Minister.]

## Statement.

Year.	(A)	(B)		(C)		Number of cases.	
	Number of mur- ders commit- ted.	Chalans.	Convictions.	Not challaned.	Acquitted.	Under investiga- tion.	Pending in Court
1	2	3	4	5	6	7	8
KARNAL							
1934 .. ..	19	11	5	8	6	..	..
1935 .. ..	17	11	6	6	5	..	..
1936 .. ..	16	12	9	4	3	..	..
1937 .. ..	11	11	3	..	8	..	..
HISSAR							
1934 .. ..	31	19	11	12	8	..	..
1935 .. ..	28	18	12	10	6	..	..
1936 .. ..	44	29	12	14	17	1	..
1937 .. ..	46	28	8	10	8	8	12
ROHTAK							
1934 .. ..	21	13	5	8	8	..	..
1935 .. ..	32	17	7	15	10	..	..
1936 .. ..	22	15	8	7	7	..	..
1937 .. ..	35	16	6	15	4	4	6
GURGAON							
1934 .. ..	18	8	2	10	5	..	..
1935 .. ..	14	7	1	7	4	..	..
1936 .. ..	22	16	6	6	9	..	..
1937 .. ..	26	13	6	13	7	..	..

(D). Houses with their Police Stations which show a larger number of murders.					REMARKS, IF ANY.
Name of Police Station.		Number of cases.			
9		10			11
DISTRICT.					
{ Samalka .. .. .		3			
{ Kaithal .. .. .		3			
{ Kaithal .. .. .		3			
{ Sadar Panipat .. .. .		3			
{ Gharaunda .. .. .		3			
{ Guhla .. .. .		3			
Guhla .. .. .		4			
DISTRICT.		1934.	1935.	1936.	1937.
Fatehabad .. .. .		5	2	6	8
Rori .. .. .		2	4	3	9
Sadr Sirsa .. .. .		1	2	6	5
Dabwali .. .. .		4	2	1	2
Narnaund .. .. .		2	3	9	1
Hansi .. .. .		2	4	2	2
Sadr Hissar .. .. .		3	1	5	1
Budhlada .. .. .		2	4	3	3
DISTRICT.					
Rohtak .. { Jassia .. .. .		1			
Rohtak .. { Rohtak .. .. .		2			
Bohar .. .. .		1			
Murthal .. .. .		1			
Sonepat .. { Sonepat .. .. .		1			
Guhn .. .. .		1			
Shatgaon .. .. .		1			
Sehri .. .. .		1			
Sampla .. { Kharkhauda .. .. .		2			
Pakasma .. .. .		1			
Jaawar Kheri .. .. .		1			
Baliana .. .. .		1			
Sisana .. .. .		1			
Kausala .. .. .		1			
Asanda .. .. .		1			
Sampla .. { Hasangarh .. .. .		1			
Gandhra .. .. .		1			
Kheri .. .. .		1			
Sadh .. .. .		1			
DISTRICT.					
Palwal .. .. .		..	..	..	..
{ Palwal .. .. .		..	..	..	..
{ Rewari .. .. .		..	..	..	..
Rewari .. .. .		..	..	..	..
Palwal .. .. .		..	..	..	..
					One case left pending at the close of the year.
					Two cases left pending at the close of the year.
					One case left pending at the close of the year.
					Nil.

*Corruption and Begar.*

**\*1012. Pandit Shri Ram Sharma :** Will the Honourable Premier be pleased to state—

- (a) whether the Government is aware that there has been no decrease in corruption and *begar* even after 1st April, 1937 ;
- (b) the number of complaints received by Government during this period about corruption and *begar* ;
- (c) the number of Government servants accused of corruption and bribery who have been punished ;
- (d) the other steps, if any, that the Government proposes to take to put an end to these evils ?

**Parliamentary Secretary (Mir Maqbool Mahmood) :** (a) It is impossible to be definite, but Government believe it to be correct that for some years past there has been a steady reduction in the extent of these and similar abuses.

(b) Complaints received in the Secretariat, when they are not palpably misconceived or malicious, are normally sent to the head of department concerned, and no statistics are maintained in regard to them.

(c) and (d) The honourable member is invited to refer to the reply given to question \*410<sup>1</sup>, put by the honourable member for the Jullundur (General) Rural Constituency in Simla last summer, and to the final reply which is being given to question \*935.<sup>2</sup>

LOANS BY CO-OPERATIVE BANKS IN ROHTAK, GURGAON, HISSAR AND  
KARNAL DISTRICTS.

**\*1013. Pandit Shri Ram Sharma :** Will the Honourable Minister of Development be pleased to state—

- (a) the number of decrees that were executed with regard to the loans advanced by the co-operative banks to persons in the Rohtak, Gurgaon, Hissar and Karnal districts respectively during the last 3 years ;
- (b) the amount of money that was recovered ;
- (c) the total amount of money that was due during that period to the co-operative banks from the village co-operative societies in the districts mentioned above ?

**The Honourable Chaudhri Sir Chhotu Ram :** A statement giving the required information is laid on the table.

<sup>1</sup>Vol. I, pages 1394-95.

<sup>2</sup>Pages 291-92 *ante*.

## Statement.

Year.		District.	(a)	(b)	(c)
1		2	3	4	5
			Rs.	Rs.	Rs.
Hissar	1935	Hissar	163	13,360	19,93,940
	1936	Do.	46	15,296	19,89,178
	1937	Do.	514	33,230	19,45,796
Rohtak	1935	Rohtak	210	20,625	15,99,086
	1936	Do.	199	9,388	15,27,096
	1937	Do.	199	12,256	14,95,647
Gurgaon	1935	Gurgaon	54	5,058	24,54,473
	1936	Do.	122	9,355	23,97,920
	1937	Do.	352	18,719	22,96,691
Karnal	1935	Karnal	95	12,897	11,87,906
	1936	Do.	112	18,685	12,51,813
	1937	Do.	79	26,351	10,71,967

NOTE.—(a) Represents the total number of awards presented to civil courts for execution as decrease of the court.

(b) Represents the total amount recovered through arbitration proceedings, whether formally executed or not.

## PATWARIS FROM DEPRESSED CLASSES.

\*1014. Pandit Shri Ram Sharma : Will the Honourable Minister of Revenue be pleased to state—

- the number district-wise of patwaris belonging to depressed classes in the districts of Rohtak, Gurgaon, Hissar and Karnal;
- the number of persons belonging to these classes enlisted as candidates for patwarship in the said districts;
- whether it is a fact that the Deputy Commissioner, Hissar, removed from the list of candidates the name of the only Chumar candidate for patwarship for a minor fault;
- the nature of reports of the Tahsildar and the Revenue Assistant concerned in this case;
- whether the Government is prepared to reconsider the matter?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Nil.

(b) Rohtak	..	..	..	1
Gurgaon	..	..	..	8
Hissar	..	..	..	2
Karnal	..	..	..	2

[Revenue Minister.]

(c) Yes.

(d) Both the Tahsildar and the Revenue Assistant found the candidate guilty of—

(i) absenting himself from duty without leave while officiating as a patwari.

(ii) making a false entry in his register intentionally.

(e) The question does not arise as an appeal is pending before the Commissioner, Ambala division.

#### HONORARY BENCH AT GOHANA.

**\*1015. Pandit Shri Ram Sharma :** Will the Honourable Premier be pleased to state—

(a) the total number of applications for transfer of cases pending before Honorary Bench, Gohana, in the Rohtak district during the years 1935-36 ;

(b) the number of such applications as were accepted ;

(c) the name of the honorary magistrate at Gohana against whom the number of complaints was the largest ;

(d) the action taken by Government on these complaints ?

**The Honourable Mr. Manohar Lal :** (a) 15.

(b) 12.

(c) The question is not clear. If the intention of the honourable member is to inquire which of the magistrates on the Bench were trying the cases to which the transfer applications related, I must remind him that every case tried by a Bench is heard by two or more magistrates sitting together.

(d) Only two complaints against the working of the Bench were received by Government during 1935-36. Neither of these was such as to demand any special action.

#### SLAUGHTERING OF PREGNANT SHEEP.

**\*1016. Pandit Shri Ram Sharma :** Will the Honourable Minister for Development be pleased to state whether the Government is aware of the fact that in the Punjab a large number of pregnant sheep are slaughtered every year for the sake of soft skins of the lambs, which are very much in demand in foreign countries; if so, the action that is proposed to be taken to stop this cruel practice ?

**The Honourable Chaudhri Sir Chhotu Ram :** The honourable member is referred to the answer given to question No. \*902<sup>1</sup> during the present session of the Assembly.

#### GRIEVANCES OF ZAMINDARS NOT RECEIVING CANAL WATER.

**\*1017. Pandit Shri Ram Sharma :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether the Government is aware of the fact that a number of zamindars in the Punjab whose fields have not received any

supply of water for a long time have to pay land revenue according to the rates prevailing in the areas irrigated by canal water ;

(b) the amount of such area in the Rohtak district ;

(c) the steps ; if any, that the Government proposes to take in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) and (b) There is an area of 5,008 acres in the Sonapat tahsil of the Rohtak district which has lost irrigation since the last settlement but is paying land revenue, at the irrigated rates fixed at settlement.

(c) The matter is being looked into and necessary action will be taken.

#### PIARA SINGH AND OTHER BABAR AKALI PRISONERS.

**\*1018. Sardar Hari Singh :** Will the Honourable Finance Minister be pleased to state—

(a) the weights of Babar Akali prisoners, named Piara Singh, Buta Singh and Lahori Mall, now undergoing sentence in Central Jail, Montgomery, on their first admission to jail ;

(b) their present weights ?

**The Honourable Mr. Manohar Lal :** A statement giving the required information is attached.

**Sardar Hari Singh :** Will he kindly state the reasons for the decrease in the weight of these prisoners ?

**Minister :** I am not in a position exactly to state the reason but two reasons occur to me. Two of these prisoners who have lost weight are suffering from tuberculosis. Their names are Piara Singh and Buta Singh. Further I may remind the honourable member that when they entered jail in the year 1925 they were much younger than they are to-day after a lapse of thirteen years and that would also probably make some difference.

**Sardar Hari Singh :** In view of the fact that these two prisoners are suffering from tuberculosis, will it not be fair for the Government to reconsider their case and release them ?

**Minister :** I do not consider that that question arises out of the main question, but even so I might inform the honourable member that the question of what should be done to these prisoners is being very carefully considered by the Government at present.

**Sardar Hari Singh :** Is there any probability of their being released or am I to understand that the Government is to have its full pound of flesh ?

**Sardar Hari Singh :** Are these prisoners on hunger-strike ?

**Minister :** No.

**Sardar Sohan Singh Josh :** What sort of diet is being given to these prisoners ?

**Minister :** They are very well looked after in the hospital. They are given the right sort of food which prisoners so suffering should receive. They get a certain amount of milk.

**Chaudhri Kartar Singh :** Is it a fact that the cells in which these political prisoners are confined were previously used by prisoners suffering from tuberculosis ?

**Lala Bhim Sen Sachar :** Where have these prisoners been kept during summer months all these years ?

**Minister :** I have not that information with me. I should like notice of that question if detailed information is necessary.

**Sardar Hari Singh :** Has the Government considered the question of transferring these patients of tuberculosis to some sanatorium ?

**Minister :** No.

**Sardar Hari Singh :** Why not ?

**Minister :** Because they are being looked after quite well in the jail hospital at Montgomery.

**Sardar Hari Singh :** Where is the harm if these unfortunate people are transferred to a sanatorium ?

**Minister :** I did not say that there was any harm.

**Dr. Gopi Chand Bhargava :** May I enquire if there is any jail reserved exclusively for prisoners suffering from tuberculosis ?

**Minister :** I think particular facilities exist in the Central Jail at Multan for tuberculosis patients.

**Dr. Gopi Chand Bhargava :** Are there any facilities in Montgomery jail ?

**Minister :** I visited the Montgomery jail quite recently myself and I found quite a large room where three or four patients were kept. Some of them were suspected of suffering from tuberculosis and one or two from Hodgkin's disease.

**Shrimati Raghubir Kaur :** Comrade Ram Kishen is suffering from tuberculosis. Do the Government intend to release him in view of his serious illness ?

**Minister :** Ram Kishen is in Lahore jail and no reference to that prisoner was made in the original question.

**Mr. Speaker :** The next question.

*Statement.*

Name of prisoner.	Weight on the date of admission to jail.	Weight on the 27th November 1937.
1	2	3
	<i>Date.</i>	
Piara Singh ..	130 lbs. 28th February 1925.	110 lbs.
Buta Singh ..	115 lbs. 28th February 1925.	99 lbs.
Lahori Mal ..	110 lbs. 31st January 1934.	113 lbs.

**DISMISSAL OF SARDARS JAGIR SINGH AND UTTAM SINGH, LAMBARDARS.**

**\*1019. Sardar Hari Singh :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that Sardars Jagir Singh, Lambardar of village Bondoli, tahsil Samrala, district Ludhiana, and Uttam Singh, another lambardar of the same village have recently been dismissed under orders of the Government ; if so, the grounds of dismissal in each case ?

**The Honourable Dr. Sir Sundar Singh Majithia :** No. They were dismissed by the Collector, Ludhiana. A copy of the orders of the Collector containing the grounds of dismissal can be obtained from the district copying agency on payment under the rules. The dismissed lambardars have of course a right of appeal.

**Sardar Kapoor Singh :** Is it not a fact that these lambardars were dismissed on account of their presiding at Congress meetings ?

**Minister :** I may be able to give you further particulars. Jagir Singh was not a permanent lambardar but was on probation for a period of one year. During his probation he remained absent several times from his village for long periods. At one time he left his village in November 1936 and did not return till May 1937. His land revenue was collected through another lambardar.

Uttam Singh the second lambardar of this village was dismissed under rule 16 (2) (e) of Land Revenue Rules.

**Sardar Kapoor Singh :** I would like to know the grounds on which the dismissal orders were based.

**Minister :** You can get that order from the Copying Agency concerned.

**Sardar Hari Singh :** Is it not the duty of the Honourable Minister to acquaint us with full facts ?

**Mr. Speaker :** A question is not in order if the information sought by it can be obtained from ordinary sources.

**Lala Deshbandhu Gupta :** I think it is for the Minister in charge to reply to questions satisfactorily and not to withhold information on the ground that copies are available from the courts, etc.

**Sardar Sampuran Singh :** Your ruling is perfectly correct. The real point is that instead of replying to that question should he refer us to copies or reply to that question. We do not want any copies nor do we want that copies be supplied to us. The question is on what ground was he dismissed. That question is not answered and we submit that we want to ask whether we are entitled to a reply to that question.

**Mr. Speaker :** If that information is in possession of the Honourable Minister, he may give it if he has no objection to do so.

**Minister :** Is it not quite clear from what I said just now in reference to a supplementary question as to what is the conduct of these people ?

**Sardar Sohan Singh Josh :** Was he dismissed from the office of Sarbrah Lambardar on the ground that he had presided over a meeting of the Congress ?

**Sardar Kapoor Singh :** Has the Honourable Minister for Revenue got a copy of the order or not ? *(laughter)*.

**Lala Deshbandhu Gupta :** Was he dismissed due to political reasons ?

**Minister :** The honourable member can get a copy of the orders and see for himself.

**Lala Deshbandhu Gupta :** The Honourable Minister for Revenue should tell this House whether any political reasons were responsible for the dismissal of the lambardar concerned.

**Minister :** I am at a loss to understand as to why the reasons that I have read out from the letter of the Deputy Commissioner could not be understood. The reasons were that he was absent from his duty.

**Lala Deshbandhu Gupta :** That is with regard to the first person.

**Sardar Kapoor Singh :** I know it is a fact that he was dismissed due to his presiding over Congress meetings.

**Dr. Gopi Chand Bhargava :** May I ask one question and that is that the Honourable Minister for Revenue says that he does not realise why we do not understand this thing, but may I know why does he not want to give a definite reply and clear reply to our question ?

**Minister :** My friend knows that I have given a definite reply by reading out the letter of the Deputy Commissioner.

**Dr. Gopi Chand Bhargava :** The definite question was, " Was it for political reasons that the man was dismissed ? "

**Sardar Sampuran Singh :** A point of order Sir. Are the Ministers to reply to the questions of this House or are they to satisfy them on what information they get from their Deputy Commissioner ? Instead of replying to our questions they should say whether they are in possession of the information required or they are not. In this particular case they should state whether they can supply the requisite copies or not.

**Mr. Speaker :** My duty as Speaker is to admit questions and allow members to ask them. I have no power beyond that.

**Lala Duni Chand :** Is not the Honourable Minister for Revenue aware of the fact that the lambardar was as a matter of fact dismissed on account of his participation in certain Congress affairs ? Is he not aware of the fact ? I believe that he is aware of this *(Interruptions)*.

**COMPLAINT AGAINST A POLICE CONSTABLE NAMED DIN MUHAMMAD.**

**\*1020. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

(a) whether the Government, the Inspector-General of Police and the authorities of district Hoshiarpur, have received any complaint from the local Gurdwara Prabandhak Committee, Kiratpur, district Hoshiarpur, against the conduct of a police constable named Din Muhammad of thana Anandpur in forcing entry into the office of the said committee on 2nd November last and using abusive and provocative epithets while addressing the joint secretary of the said committee ;

(b) if so, whether any inquiry has been held into the matter and if inquiry has been held, the result thereof ?

**Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) :**

(a) Petitions to this effect were received by the Inspector-General of Police, the Deputy Commissioner and the Superintendent of Police, Hoshiarpur.

(b) Inquiries made by the Superintendent of Police, Hoshiarpur, show that the constable named was deputed to ascertain the whereabouts of a certain ex-convict under police surveillance. The latter was finally found by the constable at the Charankaul Gurdwara, Kiratpur, where he appears to have been given some kind of official position. It does not appear to be correct that the constable used abusive language, or that he employed force to enter the building. There was indeed no allegation of the use of force in the petition submitted to the Inspector-General of Police.

**Sardar Hari Singh :** May I ask whether the complainant in this case was asked by the Superintendent of Police, Hoshiarpur, to substantiate the complaint ?

**Parliamentary Secretary :** I think not.

**Sardar Hari Singh :** Is the enquiry a useful enquiry or a useless one ?

**Parliamentary Secretary :** I think a statement by the complainant was not called for.

**Sardar Hari Singh :** Why was a warning issued to the constable if he was not found guilty ?

**Parliamentary Secretary :** The facts are that the constable proclaimed that the offender was a bad character, whereas in such cases the enquiry ought to have been confidential.

**Lala Deshbandhu Gupta :** What was the nature of the allegations contained in the complaint referred to ?

**Parliamentary Secretary :** I would require notice for that.

**CONSTRUCTION OF DHUSSI AND ITS EFFECT ON LANDS NEAR IT.**

**\*1021. Sardar Hari Singh :** Will the Honourable Minister for Revenue be pleased to state—

(a) the number of villages lying between the river Beas and the new " Dhussi " (earthwork embankment) constructed along the

[S. Hari Singh.]

eastern bank of the said river in district Hoshiarpur from Kalewal to Tahli ;

- (b) the total area of these villages ;
- (c) the area of the said villages under cultivation before the " Dhussi " was constructed and the area at present under cultivation respectively with the area that has since gone out of cultivation ;
- (d) estimate of deterioration that the land of said villages has undergone since the construction of the " Dhussi " ;
- (e) the total land revenue realized from the said villages with regard to *rabi* and *kharif* crops in the year preceding the construction of " Dhussi " and the amount payable with regard to *rabi* and *kharif* this year ;
- (f) whether Government or district authorities have recently received any complaints from people of any of the said villages ; if so, the nature of the complaints and whether they have made inquiries into the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) 43.

(b) 27,885 acres.

(c) 13,671 acres prior to the construction of the Dhussi Bund, and 14,617 acres after its construction.

(d) No deterioration has taken place as is clear from reply to part (c) of the question.

(e) Total land revenue realized :—

	Rs.
(1) Before the construction of the Bund ( <i>kharif</i> and <i>rabi</i> ) .. .. .	34,151
(2) Now ( <i>kharif</i> and <i>rabi</i> ) .. .. .	34,581
The amount payable for <i>kharif</i> 1937 is .. .. .	17,273.

(f) Yes, complaints were received during the last rainy season from the villages of Galawal, Chhaurian and Bhulesran to the effect that they would be inundated if the *bund* were constructed on the eastern side thereof. The matter was enquired into on the spot by the Revenue Assistant and the Tahsildar, Dasuya, and was later referred to the Drainage Department, which undertook to take suitable steps to protect these villages and to drain out the surplus water whenever necessary.

**Sardar Hari Singh :** May I know whether Government received a representation from a big landlord of the village named Sardar Ganga Singh.

**Minister :** I cannot add anything useful to the information which I have already given.

**Sardar Hari Singh :** I have asked whether Government received a representation from one Ganga Singh, a big landlord of the village who was most seriously affected by the river action.

**Minister :** I do not recollect having seen a complaint of the nature referred to.

**FORFEITURE OF SECURITY OF *Milap*.**

**\*1022. Sardar Hari Singh :** Will the Honourable Premier be pleased to state the grounds on which security of the *Daily Milap*, Lahore, amounting to Rs. 1,000 has recently been forfeited and lay a copy of the objectionable article with alleged offensive portion thereof underlined on the table of the House ?

**Parliamentary Secretary (Khan Bahadur Mian Ahmed Yar Khan Daulatana) :** (a) Action was taken on the basis of the article headed "Sipahi ki Maut" published in the *Daily Milap* (Lahore), dated the 3rd October, 1937 which offended against clause 1 of sub-section 1 of section 4 of the Indian Press (Emergency Powers) Act, XXIII, read with section 16 of the Criminal Law Amendment Act 23 of 1932 :

(b) No.

**Sardar Hari Singh :** May I know from the honourable member whether this paper in question had been in the bad books of the Government for years ?

**Parliamentary Secretary :** I have no information.

**Sardar Hari Singh :** Because the paper was carrying on anti-ministerial propaganda ?

**Dr. Gopi Chand Bhargava :** May I know whether the article was copied from another paper or whether it was an original one ?

**Parliamentary Secretary :** I would like to have notice for that question.

**Sardar Hari Singh :** Is Government prepared to reconsider the case of this paper ?

**Parliamentary Secretary :** No.

**Pandit Muni Lal Kalia :** Was the article published in the *Hindu* of Lahore and the *Hindustan* of Lucknow ?

**Parliamentary Secretary :** I have no information.

**Diwan Chaman Lall :** Was the security of the *Hindu* of Lahore forfeited ?

**Parliamentary Secretary :** Not that I know of. If honourable member wishes to have this enquiry made I will certainly do it.

**Diwan Chaman Lall :** May I draw attention to the fact : my honourable friend says he wants notice to the question as to whether the article was copied from another newspaper or not. If that was not copied my honourable friend is in order and if that was copied I want to know whether the security of the paper, from which it was copied, was forfeited or not.

On a point of order. May I draw attention to a very important matter regarding the necessity of Ministers giving adequate replies to question put to them. It is not sufficient to admit questions and allow answers to appear on paper. I very respectfully draw your attention to a ruling given in the Central legislature by the honourable Mr. V. J. Patel at a time when the Government refused to answer certain questions and the honourable Mr. Patel was pleased to remark that Government ought to take the earliest

[Diwan Chaman Lall.]

opportunity to give adequate information regarding questions put to them. It appears to me that question after question is being put to Government and question after question is not being adequately answered on one plea or another : either on the plea of ignorance or for want of notice. May I request you to make an appeal to Government to see that questions are adequately answered.

**Mr. Speaker :** I request the Honourable Ministers and Parliamentary Secretaries, who have to answer questions, that, in accordance with the rules in force, they should endeavour to give as complete and clear replies as they possibly can.

**Parliamentary Secretary :** I have given an absolutely complete answer. The information which they required was about the *Daily Milap* which I have given.

**Mr. Speaker :** No explanation is required.

(*Lala Bhim Sen Sachar stood up.*)

**Mr. Speaker :** Can you get milk out of stone ?

**Lala Bhim Sen Sachar :** We are living in a scientific age, possibly we may get milk out of stones as we get petrol out of charcoal.

MR. KAMAL NATH TEWARI, A LAHORE CONSPIRACY CASE PRISONER.

**\*1023. Sardar Hari Singh :** Will the Honourable Finance Minister be pleased to state—

(a) whether it is a fact that Mr. Kamal Nath Tewari, a Lahore conspiracy case prisoner, who has been repatriated from the Andamans and is now undergoing his sentence in the Lahore Central Jail is suffering from appendicitis ;

(b) if answer to part (a) above be in the affirmative, whether the Government has considered the question of his release in order to enable him to undergo proper treatment to his own liking and thus to save his life ?

**The Honourable Mr. Manohar Lal :** (a) He has recently been operated upon in the Mayo Hospital, Lahore, for appendicitis, at his own request.

(b) Does not arise.

BABAR AKALI PRISONERS SUFFERING FROM TUBERCULOSIS AND OTHER DISEASES.

**\*1024. Sardar Hari Singh :** (i) Will the Honourable Finance Minister be pleased to lay on the table of the House a statement giving the names and particulars of Babar Akali and other prisoners in the Punjab, suffering from (i) tuberculosis, (ii) leprosy, (iii) other chronic diseases and also state the measures taken by the Government for their treatment ?

(ii) Will he kindly further state whether the Government is considering the question of the release of such prisoners on medical grounds ?

**The Honourable Mr. Manohar Lal :** (i) A statement<sup>1</sup> giving the required information is laid on the table. The following are the measures taken for the treatment of the prisoners :—

(1) Tuberculosis patients are treated as far as accommodation permits in the New Central Jail at Multan and with very good results. But the surplus patients have to remain in ordinary jails. Government has accepted the principle of a special jail in a suitable climate for tubercular cases and sites have been considered. So far funds have not been available.

(2) Leprosy cases are treated on up-to-date lines in a special ward outside Mianwali District Jail.

(3) Chronic diseases are treated as occasion arises in all jails.

(ii) The question of releasing certain aged and infirm prisoners is being considered by Government on compassionate grounds. But if prisoners suffering from infectious diseases were released on medical grounds, there would be a danger of their spreading these diseases. Their isolation is in the interests of public health.

**Lala Deshbandhu Gupta :** Will the Honourable Minister please state whether persons convicted of political offences are also included in the list of cases which are under consideration for release before time on grounds of health ?

**Minister :** I intimated to the House only a short while ago my inability to understand this term 'political prisoners'. If the honourable member would specify to me any particular class of prisoners whom he considers political, either under section 124-A or the Lahore Conspiracy Cases, or for some other offence he considers political, I shall be glad to furnish the necessary information.

**Lala Deshbandhu Gupta :** Are any persons convicted under section 124-A or in the Lahore Conspiracy Cases included in the list of prisoners whose cases are under consideration for release.

**Minister :** I cannot say with certainty about all those cases, but I shall enquire into the matter.

**Dr. Gopi Chand Bhargava :** May I know whether the ward in which leprosy patients are kept in the jail is treated as an isolation ward or other prisoners can also be kept in that ward.

**Mr. Speaker :** On the one hand, the honourable members expect the Honourable Ministers to answer their questions as fully as possible : On the other hand, they do not confine their supplementary questions to a further elucidation of facts stated in answers given by Ministers. So, if the honourable members go beyond the rule, Ministers may refuse to answer or require notice.

**Dr. Gopi Chand Bhargava :** The Honourable Minister has told us where Tuberculosis and Leprosy patients are kept. I want to know whether Leprosy ward is an isolation ward. Therefore this question is put to elucidate the facts stated by the Honourable Minister.

**Minister :** The information that is available to me is this that in the Mianwali Jail there is one prisoner suffering from Leprosy. I have also information that he is receiving E. C. C. O. injections. He does not live with other prisoners.

**Diwan Chaman Lal :** Does he live outside the jail ?

**Minister :** He is kept in isolated with arrangements outside the jail.

**Sardar Hari Singh :** With reference to answer to part (c) of this question regarding the release of these prisoners, may I ask if there is any danger to the peace of the province, if these physical wrecks are released ?

**Minister :** The answer to this question can be given by the honourable member himself according to his own way of thought as by any other member.

#### REMISSIONS TO BABAR AKALI AND CONSPIRACY CASES PRISONERS.

**\*1025. Sardar Hari Singh :** Will the Honourable Finance Minister be pleased to state whether prisoners of the Babar Akali conspiracy cases are treated as political or ordinary prisoners in the matter of the grant of special remissions in the sentences, as for example, remissions allowed on the occasion of the King-Emperor's Jubilee, etc. ?

**The Honourable Mr. Manohar Lal :** No distinction is made in the granting of special remissions between Babar Akali conspiracy prisoners and other prisoners.

#### BABA CHANAN SINGH, A POLITICAL PRISONER.

**\*1026. Sardar Hari Singh :** Will the Honourable Finance Minister be pleased to state whether Baba Chanan Singh, a political prisoner convicted under section 124-A of Indian Penal Code and undergoing sentence in Ambala Jail, has been classified as "habitual prisoner," if so, why ?

**The Honourable Mr. Manohar Lal :** Yes, because he has a previous conviction under section 302/115 Indian Penal Code. It is open to the prisoner if he considers that he has not been so classed rightly to apply for a revision of the order,—*vide* proviso to Note 1 to paragraph 3 (h) (i) of the Punjab Jail Manual.

I might inform the honourable member further that the question whether he is properly classified as 'habitual prisoner' has been raised by me specifically and is being examined.

#### THIKRIPEHRA IN CERTAIN VILLAGES IN HOSHIARPUR DISTRICT.

**\*1027. Sardar Hari Singh :** Will the Honourable Premier be pleased to state the number of villages in Hoshiarpur district in which *thikri pehra* is enforced at present and the grounds for the enforcement ?

**The Honourable Major Sir Sikander Hyat-Khan :** I take it that the purpose of the question is to ascertain the number of villages in respect of which orders have been made by the Deputy Commissioner under section 3 of the Punjab Village and Small Towns Patrol Act, 1918. The answer is, No.

**SUMMER VACATION FOR HIGH SCHOOL, MUNICIPAL COMMITTEE, BERI.**

**\*1028. Pandit Shri Ram Sharma :** Will the Honourable Minister for Education be pleased to state whether it is a fact that the Municipal Committee, Beri, district Rohtak, wrote to the Education Department in the beginning of this year requesting that it might be permitted to close its high school for summer vacation not in July and August as laid down in the Punjab Education Code but in the month of June every year ; if so, the action taken by the Education Department in the matter ?

**The Honourable Mian Abdul Haye :** Yes. The Department did not agree to the closing of the Municipal Board High School, Beri, on account of Summer Vacation from the beginning of June, 1937, instead of from the middle of July.

**LALU JAS RAI'S TEMPLE AT MULTAN.**

**\*1029. Munshi Hari Lal :** Will the Honourable Premier be pleased to state—

- (a) whether there is an ancient temple of Lalu Jas Rai in Multan, situated near the Multan city Railway station, in the vicinity of the shrine of Mai Pak Daman ;
- (b) whether the temple is surrounded on all sides by the Mai Pak Daman graveyard ;
- (c) whether the only way to the temple lies through the above mentioned graveyard ;
- (d) whether it is a fact that in the middle of March last the Mahant of the temple wired to the Commissioner, Deputy Commissioner and the Head of the Police praying that as certain Muhammadans had blocked the way to the temple an early action may be taken.
- (e) whether it is a fact that the pacca walls of the compound of the temple were demolished by a number of Muhammadans on the last day of the last Muharram ;
- (f) whether the custodian of the temple lodged a report with the police after the demolition of the said walls ;
- (g) if the answer to (f) be in the affirmative, the date on which the report was lodged ;
- (h) whether it is a fact that a day or two before the demolition of the walls the Mahant of the temple wired to the authorities complaining as to the obstruction of the way and requesting them to post police at his cost at the spot in order to prevent any breach of the peace and mischief to the temple ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) Yes.

(b) Yes.

(c) Yes, but the temple can be approached by several routes through the graveyard.

(d) and (h) The Mahant of the temple sent a telegram to the Commissioner, Multan, on the 23rd March, 1937. No telegrams to the Deputy Commissioner and the Superintendent of Police, Multan, are traceable.

(e) Yes.

(f) Yes.

(g) 24th March 1937.

#### LALU JAS RAI'S TEMPLE AT MULTAN.

**\*1030. Munshi Hari Lal :** Will the Honourable Premier be pleased to state—

(i) if the Government is aware of the fact—

(a) that several Muhammadans were challaned under section 297, Indian Penal Code, for demolition of the walls of the compound of the temple of Lal Jas Rai at Multan ;

(b) that eventually a compromise was reached under which a way was determined to the temple, walls re-built and the accused discharged ;

(c) that a plan was prepared showing the way to the temple and this plan was verified and signed by the revenue officers present at the spot ;

(d) whether it is a fact that towards the close of August last the way to the temple was blocked at the entrance by the burial of a dead body by the Muhammadans ;

(e) whether it is a fact that a report was lodged with the police when the grave was being dug ;

(f) whether it is a fact that the dead body was actually buried in the presence of the police ;

(g) whether any action was taken on the report mentioned in (e) above, if so, what ;

(h) whether it is a fact that the Hindu public visiting the temple has now to pass over the graves in order to reach it ;

(i) whether it is a fact that fairs attended by hundreds of men and women are held in the temple ?

(ii) whether the Government proposes to take any action in the matter ?

**The Honourable Major Sir Sikander Hyat-Khan :** (i) (a) Yes.

(b) A compromise signed by the complainant and the accused in the criminal case was put in court and the accused were discharged. The accused agreed to re-build the walls and admitted the existence of a particular pathway leading to the temple through the Muhammadan graveyard which surrounds

it. The walls of the compound of the temple were re-built but the existence of the pathway was not recognised by other Muslims of Multan who claimed that the accused were not competent to alienate any part of the graveyard.

(c) Yes.

(d) A dead body was buried by the Muhammadans in August, 1937, at the entrance of this particular pathway but the way to the temple was not blocked as the temple can be approached by several routes through the graveyard.

(e) Yes.

(f) The dead body had been interred, though not fully covered with earth, before the police arrived on the spot.

(g) No. The land in which the dead body was buried is entered in the rovenue records as a Muhammadan graveyard and has been held to be such by the Privy Council.

Hence there was no cause for action.

(h) No.

(i) Government have no information on the point. Small fairs have been held in the temple once a month since the dispute arose.

(ii) It is for the communities themselves to reach a settlement of the dispute. The local authorities will be glad to assist the parties in arriving at an amicable settlement if accredited leaders of both the parties evince a desire to settle the dispute.

#### MAILSI CANAL.

**\*1031. Munshi Hari Lal :** Will the Honourable Minister of Revenue be pleased to state--

(a) the date on which the Mailsi Canal opened with full discharge in 1937 ;

(b) the volume of the full discharge of the Mailsi Canal ;

(c) the share discharge of the Mailsi Canal ;

(d) the average discharge of the Mailsi Canal during April and May, 1937 ;

(e) whether it is a fact that due to short water supply in 1937 the cotton crop was sown late ; generally in the area commanded by the Mailsi Canal and specially in the area irrigated by the Lodhran branch of the same ;

(f) the discharge of the Mailsi Canal in October 1937 ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) The Mailsi Canal along with all the other non-perennial canals of the Sutlej Valley system had their full indents met on or about 22nd June when the supply in the river rose sufficiently.

(b) The designed share supply discharge of the Mailsi Canal is 3,831 cusecs and when there is spare water in the river this supply can be increased to 4,996 cusecs, but the demand from irrigators on the canal have never been sufficiently high to utilize the full supply even when available in the river.

[Revenue Minister.]

(c) The share of the Mailsi Canal is 28·3 per cent. of the available Sutlej river supply to which non-perennial channels are entitled.

(d) The average supply of the Mailsi Canal in April and May was 28·9 per cent. as compared with 28·3 per cent.

(e) It is a fact that the Sutlej rose late in April and May and that the Mailsi Canal equally with the other canals suffered in consequence. But the Mailsi Canal did not suffer any more than the other Sutlej Valley non-perennial canals.

(f) The mean discharge that actually flowed in the month of October was 2,191 cusecs as against its share of 2,184 cusecs in the river.

#### MAILSI CANAL.

**\*1032. Munshi Hari Lal :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether the cotton crop in the area watered by the Mailsi Canal has not fully matured and has further been afflicted with telia and its yield is subnormal;
- (b) whether there has been a considerable fall in the prices of cotton in 1937;
- (c) if the answers to (a) and (b) above are in the affirmative, whether the Government is prepared to grant remissions in land revenue and abiana in respect of this area?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) The cotton crop on the Mailsi Canal has not been as good as last year and has suffered to a varying extent.

(b) Yes.

(c) Government feel that, with a reduction of 25 per cent. having already been sanctioned on the Mailsi Canal for a period of 3 years with effect from Rabi 1935-36 and the ordinary rules governing the grant of remission being sufficiently elastic to meet the situation, they would not be justified in granting any special remission of abiana.

The question of land revenue remission on account of fall in prices is under consideration.

#### KAHROR MINOR.

**\*1033. Munshi Hari Lal :** Will the Honourable Minister of Revenue be pleased to state—

- (a) if the Government is aware of the shortage of water supply at the tail of Kahrur Minor;
- (b) if so, what steps Government intend to take to improve the water supply at the abovementioned tail?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) There have been some complaints regarding shortage of supply at tail of Kahrur Minor.

(b) Government has issued orders for a hydraulic survey to be made of the Minor to see if readjustment of upper outlets is necessary to improve conditions at the tail.

## LAMBARDAR UTTAM SINGH.

**\*1034. Chaudhri Muhammad Hasan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that lambardar Uttam Singh of village Bondli was dismissed for presiding over a congress meeting in his village ;
- (b) the names of the speakers who addressed the congress meeting referred to in (a) above ;
- (c) whether it is a fact that the naib-tahsildar of Samrala threatened the village Bondli, for forming a congress committee in their village and holding a public meeting for the enlistment of congress members ;
- (d) the number of visits paid by the naib-tahsildar of Samrala to village Bondli after the holding of the public meeting mentioned above ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) The lambardar was dismissed by the Collector, Ludhiana. A copy of the order of the Collector containing the reasons for dismissal can be obtained from the District Copying Agency on payment under the rules.

- (b) Does not arise.
- (c) No.
- (d) Two.

## LAHORE MUNICIPAL COMMITTEE.

**\*1035. Malik Barkat Ali :** Will the Honourable Minister for Public Works be pleased to state if he is aware of the general unrest in the city of Lahore in respect of the impression that the Lahore Municipal Committee will not be reconstituted in the year 1938 and that the Administrator may continue to function even during the year 1939 ; if so, what action does the Government intend to take ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** Government are not aware of any general unrest in the city on this account and do not propose to take any action at present.

## SUPERSESSION OF LAHORE AND SIALKOT MUNICIPALITIES.

**\*1036. Malik Barkat Ali :** Will the Honourable Minister for Public Works be pleased to state whether he is aware of the general resentment in the province at the supersession of the Lahore and Sialkot Municipal Committees ; if so, what the Honourable Minister intends to do in the matter ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** Government are not aware of any general resentment in the province on this account and do not propose to take any action at present.

## VOTING STRENGTH OF MUSLIMS IN FAZILKA MUNICIPAL COMMITTEE.

**\*1037. Malik Barkat Ali :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the present or latest voting strength of the Muslim and non-Muslim communities within the limits of the Fazilka Municipal Committee;
- (b) the proportion of the voting strength of the Muslims and non-Muslims to their population separately in the Fazilka town?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) The voting strength in the Municipality of Fazilka is as follows :—

Muslims	..	..	..	2,224
Non-Muslims	..	..	..	3,420
Total				5,620

- (b) Muslims=35·98 per cent. of their population.  
Non-Muslims=27·84 per cent. of their population.

## MUNICIPAL COMMITTEE, FAZILKA.

**\*1038. Malik Barkat Ali :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether the number of members of the Municipal Committee of Fazilka has been raised from nine to sixteen;
- (b) the number of seats to be filled by election and nomination separately;
- (c) the number of seats allotted to Muslims, whether by election or nomination, and the basis on which this allotment has been made?

**The Honourable Mawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) The number of members has been raised from eight to sixteen.

- (b) Thirteen shall be elected and three appointed.
- (c) In accordance with the usual formula of population-cum-voting strength Muslims are entitled to 6 seats. There are four Muslim wards at present. These are now being increased to 5. If this is not possible before the next elections in accordance with the formula, Muslims would be allotted two seats by nomination.

## FAZILKA MUNICIPAL COMMITTEE.

**\*1039. Malik Barkat Ali :** Will the Honourable Minister for Public Works please state—

- (a) whether it is a fact that in the Fazilka Municipal Committee the total number of elective seats, was fixed at 13 out of 16, and that this fixation of seats has resulted in Muslims' securing

only four seats out of them and the Hindus have secured 9 seats; if so, when was the present number of elective seats fixed;

- (b) the respective number of voters in the non-Muslim and Muslim wards separately;
- (c) if it is a fact that two Muslim Wards in Fazilka town contain nearly double the number of voters existing among several non-Muslim Wards of the same town;
- (d) if it is a fact that the allotment of only four elective seats to Muslims in a total House of sixteen has given rise to grave disappointment among the Muslim residents of Fazilka and that representations on this score have been made to the authorities including the Honourable Minister himself;
- (e) whether it is a fact that before the present allotment of seats in the Fazilka Municipal Committee there were no provisions for nominated seats except that of an *ex-officio* member;
- (f) if it is a fact that the Sub-Divisional Officer, Fazilka, recommended an increase in the number of elective seats reserved for Muslims;
- (g) whether he intends to take any action on the representations mentioned in (d) above; if so, what?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) According to the rules published on the 11th June, 1937, the number of elected seats of the Fazilka Municipal Committee was fixed at 13, the Muslims were allotted 4 elected seats according to the figures of population and voting strength then available.

(b) Non-Muslims	..	..	..	3,420
Muslims	..	..	..	2,224

(c) Yes.

(e) Before the publication of the rules referred to the constitution of the Municipal Committee was 7 elected and one nominated member.

(f) Yes.

(d) and (g) Several representations have been received and Government have decided to give 5 elected seats to the Muslims, i.e., their due share according to the usual formula. It may not be possible to revise the wards till after the elections, and if not, the deficiency in the Muslim representation will be made good by nomination.

#### SUBORDINATE GOVERNMENT SERVANTS WORKING AS MOTOR DRIVERS TO THEIR OFFICERS.

**\*1040. Chaudhri Muhammad Hasan :** Will the Honourable Premier be pleased to state—

- (a) whether the Government allows its subordinate servants to serve their officers of the higher rank as motor drivers; if so, whether any such instance has come to the notice of the Government;

[Ch. Muhammad Hasan.]

- (b) if the answer to the latter portion of (a) be in the affirmative, the action, if any, taken in the matter ;
- (c) whether it is a fact that a chaprasi and a police constable serve as motor drivers of the Deputy Commissioner and Superintendent of Police, Ludhiana, respectively ;
- (d) if the answer to (c) above be in the affirmative, whether these officers obtained the sanction of the Government for employing these subordinate Government servants as their motor drivers ; if not, why not ?

**The Honourable Major Sir Sikander Hyat-Khan :** I regret that the answer to this question is not yet ready.

#### CATTLE ROBBERY NEAR VILLAGE KISHANGARH.

**\*1041. Khan Sahib Chaudhri Sahib Dad Khan :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that in January, 1935, some cattle belonging to a Muslim *beopari* of Sirsa were forcibly taken from him by some Hindus, near village Kishangarh in the Hissar Sadr Police Station, while he was taking them to Hansi ;
- (b) whether it is a fact that a case under section 395, Indian Penal Code, was registered against the offender ;
- (c) whether it is a fact that the case was filed on account of the cattle being not produced before the court ;
- (d) whether it is a fact that the Punjab Government on the matter being brought to their notice by Mr. H. A. C. Gill ordered a Magisterial inquiry into it ;
- (e) whether it is a fact that the inquiry is still pending ; if so, who is responsible for this long delay and what action is contemplated to be taken in the matter ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) There was a report to that effect by the Muslim *beopari* some days after the alleged occurrence.

(b) Yes.

(c) Proceedings in the case were suspended as the accused in the case did not appear and the cattle were in the Bikaner State and could not be transferred to the Hissar district. The cattle were claimed by residents of the Bikaner State who alleged that they were being stolen by the *beopari*. A case to that effect was registered there.

(d) Yes. The Punjab Government in consultation with the Bikaner Government ordered a joint enquiry by two magistrates, one of the Hissar district and the other of the Bikaner State.

(e) No. In view of the conclusions which the two magistrates who held the joint inquiry reached the Punjab Government after consultation with the Bikaner Government have ordered that both the cases should be dropped in the interest of future co-operation between the State and the District Police.

RESTRICTIONS ON SOME PEOPLE OF VILLAGE NIGANA.

**\*1042. Khan Sahib Chaudhri Sahib Dad Khan :** Will the Honourable Finance Minister be pleased to state—

- (a) whether it is a fact that some restrictions under the Criminal Tribes Act are to be imposed upon some people of village Nigana in the Tosham Police Station, Hissar district;
- (b) whether they were convicted at any time during the last five years, if so, for which offence and when;
- (c) whether they were *challaned* at any time during the last five years, if so, for which offence and when;
- (d) whether they are on Register No. 10, if so, how many of them and since when;
- (e) reasons for imposing restrictions upon them as referred to in (a) above?

**The Honourable Mr. Manohar Lal :** (a) No such proposal has yet been received by Government.

(b),—(e) Do not arise.

OFFICERS IN HISSAR DISTRICT.

**\*1043. Khan Sahib Chaudhri Sahib Dad Khan :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that all the Extra Assistant Commissioners (Executive) in the Hissar district are non-Muslims;
- (b) whether it is a fact that the District and Sessions Judge, and Sub Judges with the exception of one are also non-Muslims?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) No.

(b) No.

COMMUNAL REPRESENTATION IN CLERICAL STAFF, HISSAR.

**\*1044. Khan Sahib Chaudhri Sahib Dad Khan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) community-wise the number of candidates who have been accepted for clerical posts by the Deputy Commissioner, Hissar, during the last five years;
- (b) whether the representation of any one community among them is inadequate; if so, the steps Government propose to take in the matter?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) :

Muhammadans. Hindus. Sikhs. Others.

1933	..	..	Nil.	..	..
1934	..	2	4	..	..
1935	..	2	3	..	..
1936	..	3	7	..	..
1937	..	1	..	1	..

Total	..	8	14	1	..
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[Revenue Minister.]

(b) If there is any marked disparity in the representation of any particular community, an effort will be made to rectify it when fresh recruitments are made, provided suitable candidates are forthcoming.

#### RECRUITMENT OF CLERICAL STAFF BY DISTRICT JUDGE, HISSAR.

**\*1045. Khan Sahib Chaudhri Sahib Dad Khan :** Will the Honourable Finance Minister be pleased to state—

- (a) how many candidates have been accepted for clerical posts by the District Judge, Hissar, during the last five years, community-wise;
- (b) whether it is a fact that the present District Judge, Hissar, struck off the names of some Muslim candidates from the list?

**The Honourable Mr. Manohar Lal :** (a) One; a Muslim.

(b) The present District Judge has struck off no names; his predecessor struck off the names of 7 candidates—4 Muslims and 3 Hindus.

#### QURAISHIS IN HISSAR DISTRICT.

**\*1046. Khan Sahib Chaudhri Sahib Dad Khan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that some sub-castes of Quraishis, namely, Siddiqis, Faruqis and Usmanis are not treated as Quraishis and consequently as members of agricultural tribes in the Hissar district;
- (b) if so, the steps Government intends to take in the matter?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Siddiqis and Faruqis are not notified as members of agricultural tribes in the Hissar district. There are no Usmanis in that district.

(b) Government will be prepared to consider the claims of Siddiqis and Faruqis for notifications if they can show.—

- (i) that they as a whole are dependent mainly on agriculture for their livelihood;
- (ii) that they are sufficiently important both as regards numbers and the area which they own; and
- (iii) that they are losing land to an extent and at a rate which would justify the extension of protection to them.

#### ENGLISH TEACHING IN HISSAR DISTRICT BOARD SCHOOLS.

**\*1047. Khan Sahib Chaudhri Sahib Dad Khan :** Will the Honourable Minister of Education be pleased to state—

- (a) the number of middle schools controlled by the Hissar District Board;

- (b) the number of Middle Schools in which English is taught as an optional subject with the names of villages wherein they are located ;
- (c) the annual expenditure on teaching English in each of the above school during the last five years ;
- (d) the fees realized in the said schools during the above period ;
- (e) in case the amount of fees was less than the expenditure on teaching English how the deficit was made up ?

**The Honourable Mian Abdul Haye :** It is regretted that the answer to this question is not yet ready.

SILAB AREA IN HOSHIARPUR DISTRICT.

**\*1048. Sardar Hari Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the area of cultivable land in the Hoshiarpur district which was classified as 'silab' at the last settlement ;
- (b) the area still classified as 'silab' in the said district ;
- (c) the rate of land revenue charged per ghumaon on the 'silab' land ;
- (d) whether the Government is aware that most of the land classified as 'silab' has since lost its 'silab' character due to scarcity of rainfall and subsidence of water-table in recent years ; if so, the action that is proposed to be taken in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :**

- (a) 28,200 acres.
- (b) 38,924 acres.
- (c) (i) Superior class, Re. 1-0-0 per ghamaon.
- (ii) Inferior class, Re. 0-12-0 per ghamaon.
- (iii) Waste, fit for grazing, Re. 0-0-9 per ghamaon.

(d) The attention of the honourable member is invited to the Alluvion and Diluvion Rules appended to the Final Settlement Report (1910—14) of the Hoshiarpur district, which among other things, provide for the reduction or remission of assessment in such cases.

KATAR DHAR.

**\*1049. Sardar Hari Singh :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that Ilaga "Katar Dhar", district Hoshiarpur, has not been included in the scope of inquiry of the Punjab Forest Commission, if so, the reasons therefor ?

**The Honourable Dr. Sir Sundar Singh Majithia :** 'No' as the Committee is dealing with forest problems governed by the Forest Act, and in the "Katar Dhar" the problem is one with which the Forest Department as such has no concern. It is entirely an administrative problem under the Chos Act, which is administered by the Deputy Commissioner, under the control of higher authority. The Financial Commissioner has recently visited the area twice and given those concerned every opportunity for representing their point of view.

SPEECH OF M. ZAFAR ALI KHAN, M. L. A. (CENTRAL).

**\*1050. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

(a) whether the speech of M. Zafar Ali Khan, M.L.A. (Central), delivered at a meeting held under the auspices of the Punjab Muslim Students Federation at Islamia College, Lahore, on 10th November, has been brought to his notice ;

(b) whether the Government is prepared to lay a copy of the police report of the said speech on the table of the House ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) Yes.

(b) No.

#### ATA ULLAH OF LUDHIANA BOMB CASE.

**\*1051. Chaudhri Kartar Singh :** Will the Honourable Finance Minister be pleased to state—

(a) whether it is a fact that one Ata Ullah, a prisoner, convicted in the Ludhiana Bomb Case, has been deprived of all facilities regarding books and writing material ;

(b) if the answer to (a) above be in the affirmative, reasons for the same ?

**The Honourable Mr. Manohar Lal :** (a) The honourable member probably refers to Ata Mohammad, son of Fateh Mohammad, who was convicted in the Ludhiana Bomb Case and is at present confined in the Lyallpur District Jail. If this is so, the reply is in the negative.

(b) Does not arise.

#### MR. MANGAL SAIN OF KANARI BAZAR CASE.

**\*1052. Chaudhri Kartar Singh :** Will the Honourable Finance Minister be pleased to state—

(a) the prisons in which Mr. Mangal Sain of Kanari Bazar Case, Lahore, is confined ;

(b) whether it is a fact that he has become considerably reduced in weight ; if so, the reason why ;

(c) whether he is given proper diet and treatment ;

(d) the nature of medical treatment and diet prescribed for him ?

**The Honourable Mr. Manohar Lal :** (a) Lyallpur District Jail.

(b) His weight at the time of admission to jail was 137 lbs. which is considerably above the normal weight for his height 5'-8½". His weight on the 8th December, 1937, was 114 lbs., but had gone down to 107 lbs., on the 11th December, 1937, on account of his having been admitted in jail hospital for Intestinal Colic and receiving milk diet under orders of the Medical Officer, Jail. During the year his weight varied from 112 lbs. to 121 lbs. owing to his having attacks of epistaxis.

(c) Yes. His diet and medical treatment is arranged to suit the requirements of his case.

(d) He receives treatment for his disease. Below are given extracts from his history ticket and the details of admission to hospital during the current year :—

30th March, 1937. Admission to hospital for Pharyngitis.

5th April, 1937.—Discharged.

1st May, 1937. Admitted to hospital for Epistaxis.

10th May, 1937. —Discharged.

During this period he was as an indoor case in the jail hospital.

He has been included in the convalescent gang for the best part of the year since 15th February, 1937, and was given milk for the best part of the summer months to counter-act the tendency to bleed from the nose. During summer he was also put on rice diet for a short period.

The prisoner states that even before admission to jail he suffered from the tendency to bleed from the nose.

#### INTERMENT OF SARDAR TEHL SINGH.

**\*1053. Chaudhri Kartar Singh :** Will the Honourable Premier be pleased to state whether it is a fact that S. Tehl Singh, a Kisan Leader, has been interned by the Punjab Government ; if so, why ?

**The Honourable Major Sir Sikander Hyat Khan :** Yes, for having acted in a manner prejudicial to the public safety and peace.

#### ANGLO-VERNACULAR MIDDLE SCHOOL, BADNI KALAN.

**\*1054. Sardar Rur Singh :** Will the Honourable Minister for Education be pleased to state—

(a) whether it is a fact that the District Board, Ferozepore, is contemplating the removal of the Anglo-Vernacular middle school Badni Kalan to Buttar ;

(b) whether the Government is aware of the fact that this matter has caused much agitation among the people concerned and various representations have been sent to the Deputy Commissioner, Ferozepore, Sub-Divisional Officer, Moga, District Inspector of Schools, Ferozepore, Director of Public Instruction and the Minister for Education ; if so, the action taken on these representations ?

**The Honourable Mian Abdul Haye :** (a) The District Board, Ferozepore, has asked for permission to close down the secondary department of their Anglo-Vernacular Middle School at Badhni Kalan and to re-start optional English classes at Buttar.

(b) A few representations have been received in this connection but no final decision in the matter has been reached so far.

#### MOGA GIRLS' HIGH SCHOOL.

**\*1055. Sardar Rur Singh :** Will the Honourable Minister for Education be pleased to state whether the Government is aware of the fact

[S. Rur Singh.]

that a proposal for shifting the Moga Girls' High School to Ferozepore is under consideration; if so, the grounds on which this action is contemplated to be taken?

**The Honourable Mian Abdul Haye :** No such proposal is under consideration at present.

#### IRRIGATION FACILITIES FOR ZAIL KOKARI KALAN.

**\*1056. Sardar Rur Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that surplus water of the Sirhand Canal can be spared for further irrigation;
- (b) if the answer to (a) be in the affirmative, whether the Government is aware of the fact that some villages in the zail of Kokari Kalan like Kapurke Rowby are suffering from lack of water for irrigation purposes;
- (c) whether it is also a fact that the peasants of these villages have made representations to the Government that they should be supplied with more canal water; if so, the steps the Government has taken or contemplates to take in this connection?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) No.

(b) Does not arise.

(c) Yes. A reply has been given that there is no surplus water.

#### DR. MUKAND LAL, TUBERCULOSIS OFFICER, MUNICIPAL COMMITTEE, SIMLA.

**\*1057. Khawaja Ghulam Samad :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that Dr. Mukand Lal, Tuberculosis Officer, Municipal Committee, Simla, is related to Lala Behari Lal, Vice-President of the said Municipal Committee;
- (b) whether the said Dr. Mukand Lal was an expert in Tuberculosis diseases when he was appointed to this post; if not, the reasons for which he was given preference to other qualified candidates for the same post;
- (c) whether it is also a fact that the said doctor proceeded on leave to qualify himself for his post after his appointment, if so, the period for which he remained on leave for the purpose?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) No.

(b) No. Preference was given to Doctor Mukand Lal because he was the only candidate from among the local applicants who was selected by the King George (Anti-Tuberculosis) Fund for the Calcutta Tuberculosis Course.

(c) Yes, from 24th December, 1936, to 15th February, 1937.

LALA SALIG RAM OF MUNICIPAL COMMITTEE, SIMLA.

**\*1058. Khawaja Ghulam Samad :** Will the Honourable Minister for Public Works be pleased to state whether it is a fact that one Lala Salig Ram, an employee in the Electricity Department of the Simla Municipality, is related to Lala Behari Lal, Vice-President of the said committee and whether the said Lala Salig Ram was appointed to this post at the instance of the latter?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** These two gentlemen are reported to be related, but not within the degree of relationship defined in rule 3-B., of the General Rules for Municipalities framed under section 240 of the Municipal Act.

Lala Salig Ram was not appointed at the instance of Lala Behari Lal.

LALA SHANKAR NATH OF MUNICIPAL COMMITTEE, SIMLA.

**\*1059. Khawaja Ghulam Samad :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that Lala Shankar Nath, Legal Advisor to the Municipal Committee, Simla, is related to Lala Behari Lal, Vice-President of the said committee;
- (b) the period of services of the said Lala Shankar Nath in the Municipal Committee, Simla, the number of increments he has drawn so far on various occasions and also the monthly salary that he is getting at present;
- (c) the name and also the monthly salary of the predecessor of Lala Shankar Nath and also the initial salary that Lala Shankar Nath was given at the time of his appointment as Legal Advisor?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) No.

(b) Lala Shankar Nath was in the first instance appointed as Junior Legal Advisor on a monthly salary of Rs. 175 in 1927. Later on the Committee decided to have only one Legal Advisor and appointed him as such raising his salary to Rs. 300 per mensem inclusive of fees, etc., for prosecuting all criminal or civil cases, whether for or against the Committee.

(c) His predecessor was late Sheikh Mohammad Umar, B.A., LL.B. He was in receipt of a retaining fee of Rs. 50 per mensem. In addition he was paid separately fees for giving legal opinions, which amounted to Rs. 4,890-3-8 in 1924-25, Rs. 2,918-14-9 in 1925-26 and Rs. 4,166-11-0 in 1926-27.

HONOURABLE REVENUE MINISTER'S OPINION ON ASSESSMENT OF  
LAND REVENUE.

**\*1060. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that a deputation of Singh Sabha, Hoshiarpur, or of influential Sikhs of that place, waited upon the Honourable

[B. Hari Singh.]

Minister for Revenue on the occasion of his last visit to the place;

- (b) whether it is also a fact that in the course of his talk with the said deputation the Honourable Minister stated his opinion on the question of the application of the principles of income-tax to the assessment of land revenue in the Punjab?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) Some Sikh gentlemen of Hoshiarpur saw the Honourable Minister for Revenue informally.

(b) There was a talk on the subject, but it was not any expression of opinion on the question as a whole.

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EDUCATION MINISTER'S ADVICE TO DEPRESSED CLASSES.

**\*1061. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that on the occasion of his last visit to Hoshiarpur, the Honourable Minister for Education addressed an assemblage of depressed classes and also invited about fifty representatives of those classes to a dinner party;
- (b) whether it is also a fact that he addressed the said representatives on the eve of the dinner and advised them to demand separate electorates for their community in elections to the Assembly; if so, whether his advice represents the policy of the Government?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) Yes.

(b) No. No such advice was given by the Honourable Minister of Education.

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CANCELLATION OF LICENCES OF SARDAR KUNDAN SINGH, ETC.

**\*1062. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that the gun licences of Sardars Kundan Singh and Balwant Singh of village Baddon, thana Mahilpur, district Hoshiarpur, have recently been cancelled; if so, the grounds on which this action was taken against each of them;
- (b) whether the Government has considered the question of reviewing this case?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) No, but the licenses have been suspended by the District Magistrate pending enquiry by him into certain serious allegations against the holders.

(b) Does not arise.

## NOMINATIONS TO LOCAL BODIES.

**\*1063. Sardar Hari Singh :** Will the Honourable Minister for Public Works be pleased to state whether authorities making and recommending nominations to the local bodies are instructed to consult the special interests sought to be represented through nominations?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** No such instructions have been issued. But Government has no reason to believe that such interests are not taken into consideration by the officers concerned before making recommendations for nominations.

## UJAGAR SINGH OF VILLAGE DHAMIAH KALAN.

**\*1064. Sardar Hari Singh :** Will the Honourable Premier be pleased to state the grounds under which one M. Ujagar Singh of village Dhamiah Kalan, thana Hariana, district Hoshiarpur, has been placed in register No. 10 of the police?

**The Honourable Major Sir Sikander Hyat-Khan :** The contents of Police Register X are not made public, and I do not think that it would be in the public interest to answer questions on this subject.

## RELEASE OF BABAR AKALI PRISONERS, ETC.

**\*1065. Sardar Hari Singh :** Will the Honourable Finance Minister be pleased to state whether it has come to his knowledge that the United Provinces Government has recently released prisoners convicted of violence like the Kakori case prisoners; if so, whether the Punjab Government has considered or intends considering afresh the question of the release of Babar Akali and other prisoners convicted of violence?

**The Honourable Mr. Manohar Lal :** The Punjab Government have apart from the reports in the press no special knowledge of the release of prisoners convicted of violence by the United Provinces Government. In this connection the honourable member is referred to the recent press *communiqué* issued by the Government of the United Provinces.

For an answer to the latter part of his question the honourable member is referred to the answers given to his question No. \*879<sup>1</sup> and question No. 178.

REFUSAL OF PERMISSION TO GYANI RAM SINGH TO INTERVIEW  
SARDAR BALWANT SINGH.

**\*1066. Sardar Hari Singh :** Will the Honourable Finance Minister be pleased to state—

- (a) whether it is a fact that Gyani Ram Singh 'Jaubar' of Hoshiarpur was recently refused permission to interview Sardar Balwant Singh 'Dukhia,' an under-trial prisoner in Hoshiarpur sub-jail; if so, the grounds on which the permission was refused;

[S. Hari Singh.]

(b) whether there are any instructions in this respect from the Punjab Government?

**The Honourable Mr. Manohar Lal :** The honourable member is asked to see the reply given to question No. 179<sup>1</sup>.

#### INCREASE OF STRENGTH OF CRIMINAL INVESTIGATION DEPARTMENT.

**\*1067. Sardar Hari Singh :** Will the Honourable Premier please state whether the Punjab Government has any proposal under consideration to increase the strength of the Criminal Investigation Department?

**The Honourable Major Sir Sikander Hyat-Khan :** No.

#### CRITERIA FOR TENDERS FOR HAVELI PROJECT.

**\*1068. Sardar Hari Singh :** Will the Honourable Minister for Revenue please state the criteria that have governed the acceptance of tenders for works under the Haveli Project?

**The Honourable Dr. Sir Sundar Singh Majithia :** Contractors for the Haveli Project are appointed by selection having regard—

- (a) to their tenders compared with the Standard Schedule of rates for the Haveli Project ;
- (b) to their past experience—particularly of Canal Works ; and
- (c) to their capacity for work as judged by their command of labour and financial position.

#### CONFINEMENT OF BABAR AKALI PRISONERS IN CELLS.

**\*1069. Sardar Hari Singh :** Will the Honourable Finance Minister be pleased to state—

- (a) whether it is a fact that Bachint Singh and six other Babar Akali prisoners have, on transfer from Central Jail, Lahore, to Central Jail, Montgomery, on 4th October last, been kept in cells and that these cells are dark, ill-ventilated and unhealthy?
- (b) if so, whether these prisoners have lost in weight since their transfer to the last mentioned jail?

**The Honourable Mr. Manohar Lal :** (a) Bachint Singh is the only Babar Akali prisoner who was transferred from the Lahore Central Jail to the Montgomery Central Jail on the 4th October, 1937. The remaining six prisoners are not Babar Akalis.

All these prisoners were accommodated in the cell block where other prisoners were confined. These cells are not dark and unhealthy. The doors are grated to admit both light and air and each cell has in addition two clear storey windows between the door and roof.

(b) Two prisoners, Tika Ram and Munshi Ram, have lost in weight slightly. The others have shown slight increases in weight. The following statement shows weights on admission and on the 6th of December, 1937:—

1	2	3	4
Name.	Weight in pounds on admission in the Central Jail, Montgomery, on the 4th October, 1937.	Present weight in pounds on the 6th December, 1937.	Weight lost or gained.
Bachint Singh .. .. .	132	133	+1
Munshi Ram .. .. .	119	117	-2
Inder Paul .. .. .	106	107	+1
Tara Singh .. .. .	104	108	+4
Tika Ram .. .. .	104	103	-1
Hans Raj .. .. .	123	125	+2

Kundan Lal was transferred to the Lahore Central Jail on the 21st November, 1937, from the Central Jail, Montgomery. Tika Ram was released on the 15th December, 1937.

#### BABAR AKALI PRISONERS.

**\*1070. Sardar Hari Singh :** Will the Honourable Finance Minister be pleased to state—

- whether it is a fact that Gyani Harnam Singh, a Babar Akali prisoner, fell a victim to T. B. of lungs in Central Jail, Montgomery, and was some time ago transferred to Central Jail, Multan;
- whether it is also a fact that Babar Akali prisoners named Bawa Singh, Bagga Singh and Lahori Mall too have developed T. B. glands;
- whether he is aware that Babar Akali prisoner Atma Singh too is showing signs of developing T. B. glands; if so, the measures that the Government proposes to take in the matter?

**The Honourable Mr. Manohar Lal :** (a) Gyani Harnam Singh was found to be suffering from T. B. of the lungs in the Central Jail, Montgomery. There is nothing to show where he first contracted this disease. He is now an indoor patient in the Multan Central Jail.

(b) Convicts Bawa Singh and Lahori Mal are not Babar Akali prisoners, but terrorists. They are said to have developed Hodkin's Disease. There is no Babar Akali prisoner named Bagga Singh confined in any jail in the Punjab.

[Finance Minister].

(c) Babar Akali prisoner Atma Singh was released from the Montgomery Central Jail on the 10th November, 1937. He was detained in jail hospital for observations, but he did not show signs of developing T. B. glands while in the hospital.

The prisoners who are still in jail are being given appropriate treatment in the jail hospitals.

POLITICAL WORKERS IN HOSHIARPUR DISTRICT IN REGISTER X.

\*1071. **Sardar Hari Singh** : Will the Honourable Premier be pleased to state—

(a) the number and the names of political workers who have been placed on Register No. 10 of the Police in district Hoshiarpur since 1st April, 1937, with the reasons in each case ;

(b) the number of similar cases in the rest of the Punjab ?

**The Honourable Major Sir Sikander Hyat-Khan** : The contents of Police Register X are not made public, and I do not think that it would be in the public interest to answer questions on this subject.

TRANSFER OF SHEIKH GHULAM MOHY-UD-DIN, SUB-INSPECTOR OF POLICE, SHEIKHPURA.

\*1072. **Sardar Hari Singh** : Will the Honourable Premier be pleased to state—

(a) whether it is a fact that the transfer order of Sheikh Ghulam Mohy-ud-Din, Sub-Inspector, Police, Sheikhpura, had been issued ;

(b) whether later on the transfer order was suddenly suspended or cancelled ;

(c) and whether it is a fact that the conduct of the said Sub-Inspector had been the object of severe strictures in the case *Crown versus Baldev Singh* in the court of Thakur Kanti Chand and in another case *Crown versus Sardar Atma Singh* and others in the court of Chaudhri Sundar Das, A. D. M., Sheikhpura ?

**The Honourable Major Sir Sikander Hyat-Khan** : (a) and (b) Orders for the transfer of the officer named from the Sheikhpura district where he had been for more than seven years, were issued in the middle of September last. By instructions issued at the end of the same month action on the transfer orders was postponed pending a settlement of the second of the two cases which will be referred in the reply to part (c) of the question. The transfer was finally carried out in December.

(c) (2) In his judgment in the case "*Crown versus Doctor Baldev Singh*—section 182, Indian Penal Code" the trial magistrate Thakar Kanti Chand made severe strictures on Sub-Inspector Ghulam Mohy-ud-Din, the complainant.

(iv) In discharging the accused in a case "*Crown versus Atma Singh and others*—section 307, Indian Penal Code" the Special Magistrate, Lahore, (not the Additional District Magistrate, Chaudhri Sundar Das, as suggested in the question), stated his opinion that the prosecution story was false and fabricated. The case had been investigated in the first instance by Sub-Inspector Ghulam Mohy-ud-Din. The principal accused, Sardar Atma Singh, thereafter made an application to the magistrate under section 476 of the Code of Criminal Procedure, praying him to initiate proceedings against the Sub-Inspector for having falsely charged him. This application was dismissed by the magistrate at the beginning of last month.

#### RULES FOR APPOINTMENT OF OFFICIAL RECEIVERS.

**\*1073. Dr. Gopi Chand Bhargava :** Will the Honourable Finance Minister be pleased to state whether there are any rules and procedure prescribed by the Punjab Government for the appointment of Official Receivers under section 57 of the Provincial Insolvency Act ; if so, whether he would lay a copy of these rules on the table of the House and also state the authority that finally appoints, suspends or dismisses these Receivers ?

**The Honourable Mr. Manohar Lal :** Official Receivers are appointed by the provincial Government under section 57 of the Provincial Insolvency Act, 1920. Power to suspend or dismiss an Official Receiver vests, by virtue of section 16 of the General Clauses Act, 1897, in the authority competent to appoint. There are no rules governing the procedure to be followed in selecting candidates for appointment, but in the summer of 1936, after consultation with the Honourable Judges of the High Court, the Punjab Government issued a circular letter to Commissioners explaining the principles which they proposed to follow in making selections. A paper reproducing the relevant extracts from this circular is laid on the table, together with an extract from a supplementary circular issued last June.

#### *I.—Extracts from Punjab Government letter No. 802-J.-36/18870, dated the 4th June, 1936.*

Government have accepted certain suggestions of the Honourable Judges in connection with the procedure to be followed in filling vacancies..... The authority responsible for initiating proposals will be the Deputy Commissioner of the district concerned, in consultation with the District Judge. The recommendations made by Deputy Commissioners will be submitted to the local Government through the Commissioner of the division, who will be at liberty to recommend a candidate from another district of the division if he thinks him a better selection. Before finally selecting any candidate the local Government will invite the Honourable Judges to say whether there is any objection against him on professional grounds.

To enable Government to judge the suitability of the proposals sent up from the districts it will be well for Deputy Commissioners, in making their recommendations, to mention and discuss the qualifications of the other principal candidates as well as those of the person finally recommended. They should also bear in mind the following points :—

(a) Government have accepted the principle that Official Receivers should in future be appointed exclusive from among legal practitioners. In his report on the working of the system the special officer mentioned the following qualifications as particularly requisite :—

- (i) That the candidate should have some experience of insolvency law and practice ;
- (ii) That he should be prompt and active ;
- (iii) That he should be reliable and sufficiently well off or well connected to be above temptation ;

[Finance Minister.]

(iv) That he should not have so large a practice as would compel him to neglect his duties as an Official Receiver.

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(c) Deputy Commissioners are asked to furnish the fullest possible particulars of all candidates whose names are sent up by them. Government do not wish to fetter the freedom of Deputy Commissioners in phrasing their notes describing the separate candidates, but the information will naturally fall into four heads: educational and professional qualifications, experience, financial stability and past services to the administration. The age of candidates should invariably be given.

(d) Appointments will be for a term of five years, the first year being regarded as probationary. (Legally the local Government possess the power to remove an Official Receiver at any time without reason given, and it is necessary that all gentlemen appointed should realise the existence of this ultimate power.) All appointments will be subject to good behaviour and continued efficiency, and will terminate automatically on the Receiver's attaining the age of sixty years. No first appointment will be made of a person over the age of fifty-five.

## II.—Extract from Punjab Government letter No. 2679-J.-37/23550, dated the 15th June 1937.

I am directed to invite a reference to my circular letter No. 802-J.-36/18370, dated the 4th June, 1936, communicating the policy of Government in regard to the appointment of Official Receivers. Government have since been considering, in consultation with the Honourable Judges of the High Court, the procedure to be followed in connection with the re-appointment of Official Receivers. It has now been decided that proposals for re-appointment should be initiated by District Judges who will send up their proposals to the High Court. The Honourable Judges will then address Government. The Honourable Judges are issuing orders that before sending up his proposals in any case the District Judge should consult the Deputy Commissioner and report the latter's views with his own. It has further been decided that if in any case the District Judge is opposed to the re-appointment of the former Official Receiver he shall inform the Commissioner, who will then make his suggestions to Government regarding the case.

These instructions apply both to proposals for the confirmation of newly appointed official Receivers after their first probationary year, as well as to re-appointments at the end of the quinquennial term.

### OFFICIAL RECEIVERS IN THE PUNJAB.

\*1074. **Dr. Gopi Chand Bhargava :** Will the Honourable Finance Minister be pleased to state—

- (a) the number of Official Receivers in the province with the dates of their appointments ;
- (b) whether any Official Receivers have been removed or suspended from office in 1937 ; if so, the names of the persons appointed in their places and whether the usual procedure was followed in making these fresh appointments, if not, why not ?

**The Honourable Mr. Manohar Lal :** (a) A statement is laid on the table.

(b) One Official Receiver was removed and another suspended during the year 1937. The resultant vacancies have not yet been filled and for the time being the estates of insolvents in the districts concerned are administered by Receivers appointed *ad hoc* in each case by the court under section 56 of the Provincial Insolvency Act, 1920.

*List of Official Receivers.*

Serial No.	District.	Name.	Date of appointment.
1	2	3	4
1	Hissar ..	Lala Mohan Lal ..	19th March, 1937.
2	Rohtak ..	Pandit Kalayan Singh ..	7th November, 1924.
3	Gurgaon ..	Lala Shiv Parshad Jain ..	19th July, 1937.
4	Karnal ..	Lala Deoki Nandan ..	16th November, 1917.
5	Ambala ..	Mr. Aziz Qutab ..	4th October, 1935.
6	Simla ..	<i>Vacant</i> ..	..
7	Kangra ..	Lala Karam Chand Nayar ..	19th March, 1937.
8	Hoshiarpur ..	Lala Ram Rattan ..	1st July, 1936
9	Jullundur ..	M. Sardar Muhammad ..	28th March, 1928.
10	Ludhiana ..	Sardar Jogindar Singh ..	19th March, 1937.
11	Ferozepore ..	M. Muhammad Latif Gundhi, under suspension.	9th September, 1930.
12	Lahore ..	Lala Parkash Chand Mahajan ..	16th March, 1937.
13	Amritsar ..	Lala Amin Chand Khanna ..	19th March, 1937.
14	Gurdaspur ..	Lala Dina Nath ..	21st February, 1927.
15	Sialkot ..	M. Muhammad Hussain ..	13th July, 1936.
16	Gujranwala ..	Sardar Gian Singh ..	9th October, 1935.
17	Sheikhpura ..	Sh. Muhammad Hussain Alamgir	28th March, 1937.
18	Gujrat ..	Mr. Muhammad Mumtaz Faruqi ..	19th March, 1937.
19	Shahpur ..	Lala Mehr Chand ..	11th August, 1926.
20	Jhelum ..	R. S. Lala Krishan Lal ..	10th November, 1916.
21	Rawalpindi ..	Mr. Ata-ul-Haq ..	19th June, 1936
22	Attock ..	Qazi Muhammad Shafi ..	19th March, 1937.
23	Mianwali ..	Sardar Arjan Shah Singh ..	6th April, 1937.
24	Montgomery ..	Shaikh Nisar Ahmad ..	10th May, 1937.
25	Lyalpur ..	Khan Sher Muhammad Khan ..	19th March, 1937.
26	Jhang ..	<i>Vacant</i> ..	..
27	Multan ..	Diwan Ram Chand ..	1st October, 1923.
28	Muzaffargarh ..	K. S. Malik Qadir Bakhsh ..	19th March, 1937.
29	Dera Ghazi Khan ..	Shaikh Muhammad Mu'azam ..	19th March, 1937.

## SPECIAL OFFICIAL RECEIVER.

**\*1075. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that a Special Official Receiver has been appointed for the whole province ; if so, the date when the appointment was originally made and the period for and the terms on which the Special Official Receiver was appointed ;
- (b) the provisions of the Insolvency or any other law under which the appointment has been made and the authority making this appointment ;
- (c) whether the procedure that is followed in making appointment of Official Receiver under section 57 of the Insolvency Act was followed in this case ; if not, why not ;
- (d) whether the term of appointment has been renewed, if so, when and for what period ?

**The Honourable Major Sir Sikander Hyat-Khan :** I regret that the answer to this question is not yet ready.

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 QUALIFICATIONS OF SPECIAL OFFICIAL RECEIVER.

**\*1076. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state the qualifications of the present Special Official Receiver, Punjab, including his standing and position at the bar, his previous experience as such and the services rendered by him to the administration ?

**The Honourable Major Sir Sikander Hyat-Khan :** I regret that the answer to this question is not yet ready.

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 REMUNERATION TO SPECIAL OFFICIAL RECEIVER.

**\*1077. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state the remuneration paid to the Special Official Receiver from the time of his appointment to 31st October, 1937, including salary, commission and allowance, if any ?

**The Honourable Major Sir Sikander Hyat-Khan :** I regret that the answer to this question is not yet ready.

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 POWERS OF SPECIAL OFFICIAL RECEIVER.

**\*1078. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether the Special Official Receiver, Punjab, exercises any power of supervision or control over District Official Receivers appointed by Local Government under section 57 of Provincial Insolvency Act ; if so, the provisions of law of the land and the authority under which he exercises this power ?

**The Honourable Major Sir Sikander Hyat-Khan :** I regret that the answer to this question is not yet ready.

## RULES FOR KEEPING OF ACCOUNTS OF SPECIAL OFFICIAL RECEIVER.

**\*1079. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to lay on the table of the House a copy of the rules framed by Government for keeping and auditing of accounts of the property vesting in the Special Official Receiver, Punjab ?

**The Honourable Major Sir Sikander Hyat-Khan :** I regret that the answer to this question is not yet ready

## AUDITING OF ACCOUNTS KEPT BY SPECIAL OFFICIAL RECEIVER.

**\*1080. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether the accounts kept by the Special Official Receiver, Punjab, have been audited by the Examiner, Local Fund Accounts, under orders of the Accountant-General ; if not, whether these accounts were audited by any other auditors, and, if so, the rules under which this was done ?

**The Honourable Major Sir Sikander Hyat-Khan :** I regret that the answer to this question is not yet ready.

## ASSISTANTS TO SPECIAL OFFICIAL RECEIVER.

**\*1081. Dr. Gopi Chand Bhargava :** (i) Will the Honourable Premier be pleased to state—

- (a) whether any assistants to the Special Official Receiver, Punjab, have been appointed ; if so, the number of such assistants, and whether and on what terms these posts were sanctioned by the Local Government ;
- (b) whether the usual procedure, prescribed by the Local Government for appointment of Official Receivers was followed in the case of these appointments ; if not, why not ;
- (ii) Will the Government be pleased to lay on the table of the House a copy of each of the orders and notifications issued by it relating to these appointments ?

**The Honourable Major Sir Sikander Hyat-Khan :** I regret that the answer to this question is not yet ready.

## SHORT NOTICE QUESTIONS AND ANSWERS.

## BAN ON GOVERNMENT SERVANTS IN MEDICAL DEPARTMENT TO JOIN THE INDIAN MEDICAL ASSOCIATION.

**Sardar Hari Singh :** Will the Honourable Minister of Education be pleased to state—

- (a) whether it is a fact that the Punjab Government have not withdrawn the ban on the Government servants in the Medical department to join the Indian Medical Association while they are allowed to join the British Medical Association ;
- (b) the reasons for the continuance of this anomalous position.

**The Honourable Mian Abdul Haye :** (a) Yes.

(b) The question of removing this ban is now under the consideration of Government.

**Sardar Hari Singh :** When will the result of the consideration of Government be intimated to the House?

**Mr. Speaker :** Does that question arise out of the answer given?

**Lala Bhim Sen Sachar :** When was the attention of Government first drawn to this ban?

**Minister :** A couple of months ago.

**Sardar Hari Singh :** When does Government expect to arrive at a decision—in two years?

**Minister :** No, earlier.

**Sardar Hari Singh :** In one or two months?

**Minister :** I cannot give you a definite period, but the decision will be made soon.

#### BAN ON DR. HARDYAL TO ENTER INDIA.

**Lala Deshbandhu Gupta :** Will the Honourable Premier be pleased to state:—

(a) whether Government's attention has been drawn to the statement made by the Government member concerned in the last session of the Central Legislative Assembly in reply to the question asking for removal of the ban on the entry of Dr. Hardyal, M.A., into India;

(b) whether the Government is aware of the statements issued by high personages like Sir Tej Bahadur Sapru and Mr. C. F. Andrews to the Press testifying to the fact that Dr. Hardyal's political views have undergone a definite change and no harm can result if he is allowed to return to India;

(c) if so, the action that Government propose to take in the matter.

**Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) :** (a) & (b) Yes.

(c) but it will depend upon the result of the enquiry that Government of India is making.

**Lala Deshbandhu Gupta :** What is the position of the Punjab Government in the matter? Is the Government agreeable to the removal of the ban? We are not concerned with the result of the enquiry which the Government of India is making. We want to know what is the position of the Punjab Government about the matter.

**Parliamentary Secretary :** When we know the result of that inquiry, it will be then for the Punjab Government to express its opinion.

**Lala Deshbandhu Gupta :** Has any reference been made to the Punjab Government by the Government of India?

**Parliamentary Secretary :** No.

**Lala Deshbandhu Gupta :** How does the Government then know that an inquiry is being made?

**Parliamentary Secretary :** The honourable member has drawn my attention to the reply that was given in the Central Legislature and in which Mr. Thorne says that it will depend upon the result of the inquiry.

**Lala Deshbandhu Gupta :** Has the Punjab Government despatched any reply to the Government of India or addressed any communication in this matter?

**Parliamentary Secretary :** I have already stated that it would depend upon the result of the inquiry, when that is known to us.

**Lala Deshbandhu Gupta :** Does it mean that the Punjab Government is not anxious or desirous of contributing any helpful suggestion to the inquiry?

**Parliamentary Secretary :** The whole thing will depend on the result of the inquiry.

**Lala Deshbandhu Gupta :** How will the Punjab Government be helpful in any way when the result of the inquiry is made public?

**Pandit Muni Lal Kalia :** Will the Government go against the result of the inquiry made by the Government of India?

**Parliamentary Secretary :** That will depend on what the result of the inquiry is.

#### POSTING OF POLICE FORCE OUTSIDE THE ASSEMBLY CHAMBER.

**Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

(a) whether he is aware that a Police force armed with *lathis* was posted on the road outside the Assembly Chamber on 10th January;

(b) if answer to part (a) be in the affirmative, reasons for the same?

**Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) :** (a) Only a few constables with *lathis* were posted on the road outside the Assembly Chamber on 10th January, 1938.

(b) The police were posted to keep the approaches to the Assembly Chamber clear for the convenience of the honourable members.

**Sardar Hari Singh :** May I ask whether it is a fact that a notice had been served under section 104 on the Motor Union that they should not come within one mile radius of the Assembly Chamber, and whether it is fact that that notice was not defied?

**Parliamentary Secretary :** To the first part the answer is in the affirmative. As to the second part, I am not aware of it.

**Lala Bhim Sen Sachar :** Were these constables posted to contribute towards the convenience of the honourable members of this House? Was the innovation introduced only on the 10th?

**Parliamentary Secretary :** That was the opening day of the Assembly.

**Lala Bhim Sen Sachar :** Was it discontinued after the 10th ?

**Parliamentary Secretary :** Yes.

**Lala Bhim Sen Sachar :** Was such an arrangement made for the opening day of the Simla session or of the April session ?

**Lala Deshbandhu Gupta :** Was it for the convenience and protection of the Unionist members ?

**Parliamentary Secretary :** It was for the protection of members sitting on the Opposition benches (*laughter*).

**Sardar Partab Singh :** Was there any apprehension that the honourable members would be obstructed ?

**Sardar Hari Singh :** Is it not a fact that the police was posted outside the Chamber as a safeguard against the Motor Union demonstration ?

**Parliamentary Secretary :** Even so the object was the protection and convenience of honourable members.

**Lala Bhagat Ram Choda :** Was it feared that they would carry away the honourable members in their lorries ? (*laughter*).

### UNSTARRED QUESTIONS AND ANSWERS.

#### ADDITIONAL POLICE POST AT VILLAGE SUR SINGH.

**235. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to lay on the table a statement showing the details of the estimated costs of the additional police post located at village Sur Singh, district Lahore, for each year separately for the following period 1921—1930 ?

**The Honourable Major Sir Sikander Hyat-Khan :** I regret that the answer to this question is not yet ready.

#### COSTS OF ADDITIONAL POLICE POST AT VILLAGE DHARDEV.

**236. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to lay on the table a statement showing the details of the costs of additional police post located at village Dhardev, district Amritsar, for the years 1936-37 and 1937-38, separately ?

**The Honourable Major Sir Sikander Hyat-Khan :** A statement is appended.

#### *Cost of Dhardev Post in 1936-37.*

	RS.	A.	P.
1 Assistant Sub-Inspector at Rs. 52-4-4 .. .. .	627	4	0
2 Head Constables at Rs. 39 per mensem .. .. .	936	0	0
9 Foot Constables { 3 Selection Grade Foot Constables at Rs. 22-12-5 per mensem.	819	15	0
6 Foot Constables at Rs. 18-4-0 per mensem.	1,314	0	0
2 Foot Constables at Rs. 18-4-0 per mensem on account of Contingency Reserve.	438	0	0
<b>Total pay of establishment .. .. .</b>	<b>4,135</b>	<b>3</b>	<b>0</b>

*Cost of Dhardev Post in 1937-38.*

NOTE.—These statements do not include charges for superintendence the provisions of trained men in place of recruits, armament and interest charges during the period of recovery of the cost (Police Rule 10' 24).

**237. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to lay on the table a statement showing the details of the estimated costs of the additional police post located at villages Mudki, Kot Karor, Kaler Wachha and Jandwala, district Ferozepore, for the years 1932-33 and 1933-34, separately?

**The Honourable Major Sir Sikander Hyat-Khan :** The essential figures have already been given in the reply to the honourable member's question 202<sup>1</sup>, with which the answer given to question \*1094<sup>2</sup> (Lieutenant Sodhi Harnam Singh) may also be seen. The accounts of Additional Police Posts are audited in the regular course, and I do not think that any useful purposes will be served by giving the figures in greater detail.

MOBILE POLICE FORCE, FEROZEPUR DISTRICT.

**238. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to lay on the table a statement showing the details of estimated costs of the Ferozepore district Mobile Police Force located at the different villages under section 15 of the General Police Act for each year during the period between 1st January, 1930, and 30th November, 1937 ?

**The Honourable Major Sir Sikander Hyat-Khan :** I regret that the answer to this question is not yet ready.

GAUGE READERS IN UPPER BARI DOAB CANAL.

**239. Dr. Sant Ram Seth :** Will the Honourable Minister of Revenue be pleased to lay on the table of the House a statement showing—

- (a) the number and names of the gauge readers of the Upper Bari Doab Canal ;
- (b) the dates of appointment and initial salary each was offered ;
- (c) the pay which each of them was drawing in the months of October, 1933, April, 1934, and August, 1937 ;
- (d) the qualifications and the age of each of them at the time of employment ?

**The Honourable Dr. Sir Sundar Singh Majithia :** A statement showing the required information is attached.

<sup>1</sup> Page 138 *ante*.

<sup>2</sup> Pages 474-75 *infra*.

## UPPER BARI DOAB CANAL CIRCLE.

## Statement.

Serial No.	Name of Gauge Reader.	Date of appointment.	Initial salary offered.	THE PAY WHICH WAS DRAWN IN THE MONTH.			THE QUALIFICATION AND AGE AT THE TIME OF APPOINTMENT.		REMARKS.
				October, 1933.	April, 1934.	August, 1937.	Qualification.	Age.	
1	2	3	4	5	6	7	8	9	10
			Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.		Y. M.	
1	Muhammad Baksh ..	1st June, 1905	6 0 0	12 8 0	12 8 0	12 8 0	Up to Middle Standard..	24 6	
2	Sardhi Shah ..	1st January, 1907.	8 0 0	12 8 0	12 8 0	12 8 0	Ditto	24 7	
3	Ram Singh ..	3rd February, 1907.	7 0 0	12 8 0	12 8 0	12 8 0	Ditto	22 2	
4	Ghulam Rasul ..	5th June, 1909	7 0 0	12 8 0	12 8 0	12 8 0	Ditto	17 6	
5	Fazal Haq ..	3rd March, 1910.	7 0 0	12 8 0	12 8 0	12 8 0	Ditto	27 3	
6	Barkat Hussain ..	1st July, 1912	7 0 0	12 8 0	12 8 0	12 8 0	Ditto	24 7	
7	Muhammad Sherif ..	1st May, 1917	8 0 0	12 0 0	12 0 0	12 0 0	Ditto	19 5	
8	Chuni Lal ..	19th May, 1919.	8 0 0	12 8 0	12 8 0	12 8 0	Ditto	37 5	
9	Wali Muhammad ..	8th January, 1919.	8 0 0	12 0 0	12 0 0	12 0 0	Ditto	15 4	

[Revenue Minister.]

## Statement

Serial No.	Name of Gauge Reader.	Date of appointment.	Initial salary offered.	THE PAY WHICH WAS DRAWN IN THE MONTH OF			THE QUALIFICATION AND AGE AT THE TIME OF APPOINTMENT.		REMARKS.
				October, 1933.	April, 1934.	August, 1937.	Qualification.	Age.	
1	2	3	4	5	6	7	8	9	10
			Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.		Y. M.	
10	Karim Bakhsh	1st March, 1920.	8 0 0	12 8 0	12 8 0	12 8 0	Up to Middle Standard	28 10	
11	Abdul Ghafoor	17th February, 1921.	8 0 0	12 8 0	12 8 0	12 8 0	Ditto	27 4	
12	Chabaju Ram	19th December, 1922.	12 8 0	12 8 0	12 8 0	12 8 0	Ditto	23 9	
13	Hussain Bakhsh	1st January, 1926.	12 8 0	12 0 0	12 0 0	12 0 0	Ditto	30 5	
14	Sham Lal	14th December, 1935.	12 0 0	..	..	12 0 0	Matric	24 0	
15	Ralla Ram	1st April, 1907	8 0 0	13 8 0	13 8 0	13 8 0	Literate	25 4	
16	Karam Din	1st December, 1910.	7 0 0	13 8 0	13 8 0	13 8 0	Do.	35 10	
17	Balwant Singh	28th March, 1913.	7 0 0	13 8 0	13 8 0	13 8 0	Do.	23 0	
18	Qaim Din	1st May, 1912	7 0 0	12 0 0	12 0 0	12 0 0	Do.	23 0	

19	Karim Boksh	..	31st July, 1909	7	0	0	13	8	0	13	8	0	13	8	0	Do.	..	34	5
20	Aziz Din ..	..	17th May, 1909.	7	0	0	12	0	0	12	0	0	12	0	0	Do.	..	27	4
21	Allah Boksh	..	1st December, 1912.	7	0	0	13	8	0	13	8	0	13	8	0	Do.	..	25	6
22	Taj Din ..	..	7th March, 1905.	6	0	0	13	8	0	13	8	0	13	8	0	Do.	..	24	4
23	Rahmat Ali No. 1	..	1st March, 1904.	6	0	0	13	8	0	13	8	0	13	8	0	Do.	..	24	9
24	Badri Dass	..	22nd November, 1935.	12	0	0	..	..	..	12	0	0	12	0	0	Up to 9th Class	..	23	9
25	Abdul Wahid	..	19th May, 1937.	12	0	0	..	..	..	12	0	0	12	0	0	Up to 10th Class	..	21	3
26	Allah Boksh	..	21st December, 1908.	7	0	0	12	8	0	12	8	0	12	8	0	Literate	..	24	11
27	Muhammad Baqir	..	4th February, 1908.	7	0	0	12	8	0	12	8	0	12	8	0	Up to Anglo-Vernacular Middle.	..	21	2
28	Jagan Nath	..	5th December, 1914.	7	0	0	12	8	0	12	8	0	12	8	0	Literate	..	32	2
29	Bishan Dass	..	4th November, 1913.	7	0	0	12	8	0	12	8	0	12	8	0	Do.	..	30	11
30	Safdar Ali Shah	..	1st April, 1916	7	0	0	12	8	0	12	8	0	12	8	0	Up to Vernacular Middle	..	23	9
31	Kapur Chand	..	1st April, 1935	12	0	0	..	..	..	12	0	0	12	0	0	Up to 9th Class	..	28	7
32	Fateh Din ..	..	1st July, 1920	12	8	0	12	8	0	12	8	0	12	8	0	Literate	..	35	7
33	Muhammad Shamen	..	1st April, 1937	12	0	0	..	..	..	12	0	0	12	0	0	Up to 10th Class	..	19	4
34	Mathra Dass.	..	24th February, 1937.	12	0	0	..	..	..	12	0	0	12	0	0	Up to 9th Class	..	31	1

[Revenue Minister.]

## Statement

Serial No.	Name of Gauge Reader.	Date of appointment.	Initial salary offered.	THE PAY WHICH WAS DRAWN IN THE MONTH OF			THE QUALIFICATION AND AGE AT THE TIME OF APPOINTMENT.		REMARKS.
				October, 1933.	April, 1934.	August, 1937.	Qualification.	Age.	
1	2	3	4	5	6	7	8	9	10
			Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.		Y. M.	
35	Dewan Chand ..	22nd December, 1936.	12 0 0	..	..	12 0 0	Up to 10th Class	31 10	
36	Muhammad Sharif ..	27th July, 1925	12 8 0	12 8 0	12 8 0	13 0 0	Literate	31 6	
37	Rehnu ..	1st March, 1929.	16 0 0	14 0 0	14 0 0	14 0 0	Do.	19 1	
38	Ghulam Mustafa ..	1st April, 1929	13 0 0	13 0 0	13 0 0	13 0 0	Do.	33 8	
39	Badri Nath ..	1st July, 1935	12 0 0	..	..	12 0 0	Do.	33 8	
40	Muhammad Yaqub ..	1st June, 1927	12 8 0	12 0 0	12 0 0	12 0 0	Do.	23 11	
41	Fauja Singh ..	14th January, 1922.	12 8 0	12 8 0	12 8 0	13 0 0	Do.	18 0	
42	Hazara Singh ..	31st July, 1928	12 8 0	12 8 0	12 8 0	12 0 0	Do.	20 2	
43	Sant Ram ..	17th November, 1918.	12 8 0	12 8 0	12 8 0	13 0 0	Do.	39 11	
44	Rahmat Ali ..	16th February, 1925.	12 8 0	13 0 0	13 0 0	13 0 0	Do.	23 8	
45	Rahim Bakhsh ..	1st June, 1925	12 8 0	12 8 0	12 8 0	13 0 0	Do.	33 0	

## SCALE OF PAY OF GAUGE READERS.

**240. Dr. Sant Ram Seth :** Will the Honourable Minister of Revenue be pleased to lay on the table a statement showing the scale of pay of gauge readers employed for the different canals of the Punjab ?

**The Honourable Dr. Sir Sundar Singh Majithia :** The rate of pay of gauge readers varies but the maximum rate is Rs. 15 per mensem plus allowance of Rs. 2 and Rs. 5 at Headworks. This applies to all canals in the Punjab.

## GAUGE READERS.

**241. Dr. Sant Ram Seth :** Will the Honourable Minister of Revenue be pleased to lay on the table a statement showing the names of the gauge readers on the Upper Bari Doab Canal who retired from service between 1st January, 1935, and 30th September, 1937, with the amount of gratuity, pension or Provident Fund, if any, given to each of them ?

**The Honourable Dr. Sir Sundar Singh Majithia :** A statement showing the required information is attached.

## Statement.

Serial No.	Name of Gauge Reader.	AMOUNT OF			Date of retirement.	REMARKS.
		Pension.	Gratuity.	Provident Fund.		
1	2	3	4	5	6	7
1	Mangha Singh .. ..	..	Rs. 75	..	31st August, 1935.	
2	Gurdit Singh .. ..	..	75	..	15th July, 1935.	
3	Hurmat Ali .. ..	..	75	..	15th August, 1935.	
4	Pal Singh .. ..	..	..	..	18th December 1935.	Question of gratuity or pension is under settlement with the Accountant-General, Punjab.

GRIEVANCES OF ZAMINDARS OF VILLAGE SUR SINGH REGARDING  
JAGATPURA MINOR HEAD.

**242. Dr. Sant Ram Seth :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that Bhai Palla Singh and other zamindars of village Sur Singh, tahsil Kasur, district Lahore, submitted

[Dr. Sant Ram Seth]

an application on the 21st October, 1937, to the Executive Engineer, Raiwind Division of Upper Bari Doab Canal, detailing therein their grievances about Jagatpura minor head and a bridge near it;

(b) if the answer to (a) be in the affirmative, whether he will be pleased to lay on the table of the House their original application;

(c) whether any inquiry has been made by the Government in this connection; if so, with what result;

(d) the steps that he proposes to take to remove the grievances referred in (a) above?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) An application was received by the Executive Engineer, Raiwind division by registered post on 25th October, 1937.

(b) Original application is placed on the table of the House.

(c) The points raised in the application were already under investigation. The application was also endorsed to the Sub-Divisional Officer for further report.

(d) Hydraulic Survey of the Distributary was made and the remodelling proposals are in hand.

#### ADDITIONAL POLICE POST AT KATBEHI KHURD.

**243. Dr. Sant Ram Seth :** With reference to starred question No. 83 put by me on the 21st June, 1937, and the reply thereto, will the Honourable Premier be pleased to state whether the inquiry which the Government promised to make in its reply regarding the additional police post at Katbehi Khurd and other villages referred to in that question has since been completed; if so, the decision at which the Government has arrived as a result of that inquiry?

**The Honourable Major Sir Sikander Hyat-Khan :** I regret that the answer to this question is not yet ready.

#### WORKING OF THE ADDITIONAL POLICE POST AT DHARDEO.

**244. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

(a) whether the Senior Superintendent of Police, Amritsar, passed a standing order in February, 1936, about the working of the additional police post located at village Dhardeo, district Amritsar;

(b) if the answer to (a) be in the affirmative, whether he will lay a copy of that standing order on the table of the House;

(c) the number of the cognizable offences investigated by the officer in charge and the head constables of Dhardeo police post committed within the jurisdiction of Chananki zail from 17th February, 1937, to 30th November, 1937.

- (d) the total number of the reports of cognizable offences committed within the limits of the Chananki jail that were registered at police station Beas, district Amritsar, within the period mentioned in (c) above;
- (e) the date when the order of the Superintendent of Police regarding the night patrol and investigation of cognizable offences committed within Chananki jail by the Dhardeo additional police post was passed and also the date when that order was subsequently withdrawn?

**The Honourable Major Sir Sikander Hyat-Khan :** I regret that the answer to this question is not yet ready.

PROCEDURE RE. STARRED QUESTIONS NOT REACHED  
DURING QUESTION HOUR.

**Lala Duni Chand :** Sir, a very important question arises with regard to the questions left over. The proposed draft rules say that such questions as are left over may be asked on the next day. But the existing rules say nothing on the point but there is nothing in them which lays down that questions not reached on any day should not be answered the next day.

**Pandit Muni Lal Kalia :** I also wanted to raise the point raised by Lala Duni Chand. Now as many as 90 questions are printed on the list for each day during the session and assuming that all questions are put the same day, not more than 40 seconds can be allowed for each question. It is very difficult even to rise and stand up in the seat and say "yes", or "no", "the question does not arise", within this time. The questions should be so arranged as to allow sufficient time for all of them to be put and answered within the time allowed for questions, including supplementary questions. Not more than one-fourth or one-fifth of the questions printed are being answered each day. In the new rules there is a provision in this respect, but there is nothing in the existing rules.

**Mr. Speaker :** In view of the difficulties felt by the honourable member, he may move an amendment to the draft rules of procedure to that effect.

**Diwan Chaman Lall :** May I take it that the procedure adopted is that those questions which are not answered do not come in at all during the session?

**Mr. Speaker :** Their answers are printed in the proceedings. The fact of the matter is that the number of questions is so large that about 100 questions have to be put for each day, if we wish to take up all the questions, notices of which are given during the session. If questions, not reached to-day, are taken up to-morrow, the result will be that the whole business shall be upset and even then all questions cannot be asked and answered in the session.

*(At this stage the Premier entered the Chamber amidst cheers.)*

**Diwan Chaman Lall :** This matter requires consideration. And when you consider the question you may please consider the propriety or otherwise of these questions not being put in the Chamber because it will be the Secretariat that will be disallowing the questions.

**Pandit Muni Lal Kalia :** Another matter is this. The list for to-day contains Dr. Gopi Chand Bhargava's questions which come at the end and again to-morrow the list begins with questions by the same member. Will it not be better if all the questions of the same member are printed on the same day so that supplementary questions may also be put on the same day.

**Mr. Speaker :** There is a good deal in what the honourable member says. On the other hand, all questions concerning one Minister may be grouped together.

## SUPPLEMENTARY DEMANDS.

### FORESTS.

**Minister for Finance** (The Honourable Mr. Manohar Lal) : I beg to move—

That a supplementary sum not exceeding Rs. 1,29,740 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Forests.

**Mr. Speaker :** The motion is—

That a supplementary sum not exceeding Rs. 1,29,740 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Forests.

### *Purchase of crockery and furniture for Viceroy's visit.*

**Sardar Hari Singh** (Kangra and Northern Hoshiarpur, Sikh, Rural) :  
**Mr. Speaker, I move—**

That the item of Rs. 1,560 on account of Live Stock, Stores, Tools and Plant be reduced by Rs. 100.

This is to discuss the desirability of purchasing certain articles of crockery and furniture in connection with the Viceroy's visit. While moving the cut I wish to draw your attention to page 2 of the Supplementary Estimates wherein is given some inkling as to how this amount is going to be incurred. It is stated there "Also certain extra expenditure for the purchase of crockery and other furniture, etc., had to be incurred in connection with His Excellency the Viceroy's visit to Nurpur and Sultanpur in the Kangra district." With respect to this I wish to state that this item amounting to Rs. 1,560 includes certain expenditure which is the object of censure. The actual expenditure incurred on crockery, etc., in connection with Viceroy's visit is not given. Perhaps the Finance Minister has got the details of expenditure and I hope he will enlighten the House as to how those articles were disposed of later. This item of expenditure which I want to censure may be very small.

**Minister for Finance :** You gave a notice to us that you wanted merely to discuss.

**Sardar Hari Singh :** Discuss, criticise, attack and censure. This item of expenditure which is the object of discussion through this cut motion may be very small. But I am fighting on principle. I do not want the Finance Minister to follow the principle: "Take care of the pence and the pounds will take care of themselves"

The principle involved is this, that everything in connection with the Viceroy's visit would have been very easily provided by the executive authorities. The Forest Department should not at all have bothered about buying these things. Why were these articles bought by the Forest Department and how have they been disposed of? With due respect to His Excellency the Viceroy and his exalted position, I would like to say that this expenditure need not have been incurred at all. The province need not have been burdened with this item. It may be a very small sum or it may be a big amount, but I want to protest against allowing the subordinates of the Forest Department to buy articles in connection with the Viceroy's visit. It raises a suspicion in our minds that when higher authorities visit certain places in *mufassil*, similar furniture, crockery and other things are bought in connection with their visits. I would like the Finance Minister to enlighten us as to what happened to those articles and how they were disposed of after the Viceroy's visit was over and whether in connection with similar visits by other higher officers, the subordinates of the Forest Department will not be allowed to buy such articles and whether it is necessary to issue instructions that these things should be provided by the district authorities without incurring any expenditure.

**Mr. Speaker :** Demand under consideration, motion moved—

That the item of Rs. 1,560 on account of Live Stock, Stores, Tools and Plant be reduced by Rs. 100.

**Minister for Revenue** (The Honourable Dr. Sir Sundar Singh Majithia): Sir, I am astonished to see my honourable friend raising an objection to the item for the supply of crockery to the two rest-houses (not one) which are generally being replaced in the ordinary course. For the information of the honourable member I may tell him.—(*Sardar Hari Singh :* For the information of the House.) Very well for the information of the House and particularly of my honourable friend, I may say that the cost of the crockery that was replaced in these two rest-houses comes to Rs. 78. Is it right for the honourable member to raise an objection to a small item, which is an ordinary expenditure for replacing the broken crockery? There is no question of this crockery having been specially purchased for the Viceroy's visit. That was purchased for the purpose of replacing crockery in those two rest-houses and it is there still. On the other hand, the rest of the expenditure, as my honourable friend knows, is for the replacing of typewriters and the tents, which with time must deteriorate and have to be replaced. I presume that my honourable friend does not raise any objection to the expenditure on these tents and typewriters, but his sole objection is to a small bit of crockery that has been purchased for these two rest-houses, which were incidentally used during the visit of His Excellency the Viceroy during his tour in the hills. The crockery was not specially purchased for His Excellency the Viceroy, but it was ordinarily purchased to replace broken crockery.

**Diwan Chaman Lall** (East Punjab, Non-Union Labour): Mr. Speaker, I have very serious objections to raise to this particular grant which my honourable friend is wanting this House to pass. One objection that I have is the irregularity of this particular grant. I notice that in the paper book that has been submitted to us, the heading is "Supplementary Estimates." I take it that these supplementary estimates have been presented to this House under Rule 44 of the rules of this House. A

[Diwan Chaman Lal.]

supplementary grant or a demand is defined there. But there is rule 45 which refers to an excess grant. That also is defined. A grant as defined in rule 45 is as follows :—

“ If in respect of any financial year money has been spent on any service for which the vote of the Assembly is necessary in excess of the amount granted for that service and for that year, a demand for the excess amount shall be presented.....”

and so on and so forth. I take it that taking only one item, the question of Rs. 78 spent on crockery is a mere supplementary grant according to my honourable friend, but I take it as an amount in excess of the demand that was granted under this particular head to the department. If it was an amount in excess of the demand granted, then I would ask my honourable friend and you, Mr. Speaker, whether he is in order in bringing forward this grant as a supplementary grant and not as an excess grant; whether he is in order in mixing up both the excess grant and the supplementary grant. It is for the department to decide and for you, Mr. Speaker, to give your ruling as to the validity of the grant being presented in this particular manner as a supplementary grant, when really it is an excess grant.

And this is the second objection I have to raise in regard to this. Here is an enormous amount of money, one lakh and 29 thousand rupees or more, which my honourable friend is wanting us to give him in the supplementary grant.

**Mr. Speaker :** Is the honourable member discussing the item under consideration ?

**Diwan Chaman Lal :** I am discussing the propriety of this particular grant.

**Mr. Speaker :** But the total grant is not before the House. The honourable member shall be entitled to speak on it after amendments to items are disposed of.

**Diwan Chaman Lal :** I shall obey your ruling. The point that I was emphasising in the beginning was this, and I want your ruling on this point, whether it is proper, appropriate and right for the honourable member to bring forward this grant as a supplementary grant when it is partly a supplementary grant and partly an excess grant.

**Mr. Speaker :** If the expenditure sanctioned by the House is exceeded by mistake or oversight, but not intentionally and deliberately, it may be placed before the House for sanction as an excess grant. The expenditure beyond the sanctioned grant is generally discovered at the end of the financial year.

**Diwan Chaman Lal :** I entirely agree with your interpretation and that is why I raised this matter. It is for the department to tell us whether it is a particular item on which they have already incurred expenditure and incurred in excess of the demand which they have already got or not. It is for the department to tell us. My charge against the department is this, that they have already incurred expenditure and I think it will be something over and above that particular grant.

Again, an excess demand is a demand which may be in respect to a particular item and not in respect to the whole item. If a particular item granted to the department, has been exceeded by further expenditure incurred, it would necessarily become an excess expenditure. It is not necessarily in regard to the whole item. It may also be in regard to a particular item and it is in this respect that the question of crockery worth Rs. 78 crops up and that is why I raised this matter. I consider that this particular item must necessarily be considered as an excess grant.

**Dr. Gopi Chand Bhargava** (Lahore City, General, Urban): I rise to support the cut motion which has been moved by Sardar Hari Singh. I do realise that it relates to a very small amount of Rs. 78 only, but I would like to invite the attention of the House to the speech of the Honourable the Finance Minister which he made during the last Simla session when certain supplementary demands were put before us for sanction. We raised objection to them and the Honourable the Finance Minister was pleased to remark that he was trying his level best to discourage the departments to put forth supplementary demands. They ought to find out before hand what expenditure will be necessary, so that it may be placed before us during the budget session. The department concerned ought to have anticipated that crockery, furniture, typewriter and things of that sort required replacement. Had they done so this demand would have been unnecessary. It may be an item of one rupee, but I do not realise the necessity of a supplementary demand. The Finance Minister should not have sanctioned it or should have told us the grave importance, the grave necessity of this demand before it was put up before this House for sanction.

Moreover, Sir, it is not an estimate of expenditure which will have to be incurred, but it is an amount which has already been incurred and now after having spent it our sanction is required. We, therefore, object to this method of bringing demands before us. There would have been some justification if this sort of expenditure were an extraordinary one, it being an ordinary expenditure, we are justified in objecting to the passing of this demand.

**Minister for Finance** (The Hon'ble Mr. Manohar Lal): I must say, Sir, that I have failed really to follow the exact significance of the argument, on the purely technical side or on the merits, that has been advanced by those who have moved or are supporting this amendment. As the Honourable Minister for Revenue has pointed out, it was necessary to replace crockery and other articles of furniture, etc., that are required in these rest-houses from time to time. I feel shocked—that is the only word I can use—that the other side has had the hardihood to challenge a small amount of Rs. 78 which Government has spent on the occasion of the visit of His Excellency the Viceroy to replace broken tea cup and plates. I trust that the Opposition will meet with no sympathy from any part of the House on an issue of this character. On the merits of the question it is open to them to raise objections; but the manner in which this particular objection has been raised, I am sure will be repelled by nine-tenths of the House. We reject the unworthy idea. On the technical side, if honourable members would think coolly for even one minute they would see that when we are dealing with finances of a province extending over a sum of Rs. 11 crores, it is not possible

[Minister for Finance.]

to anticipate everything. Supplementary estimates constitute a well recognised form of financial procedure in all parliamentary countries. The attention of all the departments is called to make accurate forecasts as far as possible of the expenditure during the year and, if I may say so, the present Finance Ministry is enforcing this necessity upon the departments to the utmost extent now. That is why honourable members have such a thin book of Supplementary Estimates before them. If the Leader of the Opposition would have acquainted himself with parliamentary procedure, he would never have put forward this objection and suggested that Government should be able to get along without any supplementary estimates whatsoever. The honourable member who put forward this amendment was in the first instance, pleased to put some questions to me. "How do I examine these estimates" he asked. Let me tell him that if a Finance Minister were to sit down and examine every possible estimate of 50, 60 or 70 rupees that is to be incurred anywhere in the province, he will discharge the duties of Finance Minister with sad incompetence. In answer to other queries—improper queries, if I may say so—whether that crockery has been sold or it is still there, who purchased it and so on, senseless curiosity, I might tell him that those things are still there, and have only added to the small comforts which these outlying rest-houses afford to those who have occasion to make use of them. Therefore, I see nothing wrong in these supplementary estimates which, as I am constantly endeavouring, are kept within the narrowest possible limits.

On the merits I trust not a member of the House shall rise to support a motion of this description.

**Chaudhri Kartar Singh** (Hoshiarpur West, General, Rural) (Urdu): Sir, I rise to support the cut moved by my honourable friend Sardar Hari Singh. In this connection I will first of all deal with the speech of the Honourable Minister for Finance who stated that in view of the respect we owe to His Excellency the Viceroy and the ordinary courtesy that one should show in such matters it was not becoming of any of us to have moved a cut like the one now before the House. Let me make it clear that so far as the question of showing respect to His Excellency the Governor-General of India is concerned, we on this side of the House are as much respectful to him as the members opposite claim to be. But what I really desire to know is whether the members of this *bania* Government or for the matter of that a deputy commissioner of theirs could not afford to supply crockery for use at the time of His Excellency's visit, so that this expenditure might have been avoided which has to be incurred by the already poverty-stricken people of the province. Is it fair on the part of the Government to add to the worries of the agriculturists who are already unable to make their both ends meet? I wonder if the gazetted officers did not possess crockery worth Rs. 150 which could easily be supplied for this purpose. Perhaps, the big zamindars like Mian Mushtaq Ahmad Gurmani have not yet realised that the income *per capita* of a zamindar in this province is only six pies a day and consequently the poor *kisans* can ill afford to purchase crockery for sumptuous dinners while they are starving for want of a crust of dry bread. With these words, Sir, I lend my whole-hearted support to the cut motion now under consideration.

**Mr. Speaker :** The question is—

That the item of Rs. 1,500 on account of Live Stock, Stores, Tools and Plant be reduced by Rs. 100.

*The motion was lost.*

**Mr. Speaker :** The question is—

That a supplementary sum not exceeding Rs. 1,29,740 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Forests.

*The motion was carried.*

**Lala Duni Chand :** Notices of two motions<sup>1</sup> to reduce supplementary demand No. 1 stand in my name.

**Mr. Speaker :** The honourable member's amendments are out of order. I may inform honourable members that all these demands have to be finished to-day. Only one day has been allotted by His Excellency the Governor for the voting of supplementary demands and guillotine shall have to be applied at 15 minutes after 6 P.M. Lala Duni Chand appears to be a little bit surprised.

**Lala Duni Chand :** I want to be enlightened by you as to how my amendments are not in order.

**Mr. Speaker :** May I read for the information of honourable members a small paragraph from page 536 of May's Parliamentary Practice?

"Debate on supplementary and excess grants is restricted to the particulars contained in the estimates on which those grants are sought, and to the application of the items which compose those grants; and the debate cannot touch the policy or the expenditure sanctioned, on other heads, by the estimate on which the original grant was obtained, except so far as such policy or expenditure is brought before the committee by the items contained in the supplementary or excess estimates."

Relying on the paragraph read by me I rule that the honourable member's both amendments are out of order.

**Lala Bhim Sen Sachar :** On a point of order, Sir. Will it not be more desirable if, before a demand is put to vote, you are pleased to say that such and such an amendment is out of order?

**Mr. Speaker :** Certainly.

#### IRRIGATION WORKS.

**Minister for Finance** (The Honourable Mr. Manohar Lal) : I beg to move—

That a supplementary sum not exceeding Rs. 2,45,140 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of construction of Irrigation Works.

*The motion was carried.*

<sup>1</sup>**Lala Duni Chand :** That the demand be reduced by Re. 1.

REMARKS.—To point out the grievances of the inhabitants living on or near Shiwalak hill in Ambala and Hoshiarpur districts.

**Lala Duni Chand :** That the demand be reduced by Re. 1.

REMARKS.—To discuss the lack and difficulty of communications in hill and forest areas.

## POLICE.

**Minister for Finance** (The Honourable Mr. Manohar Lal) : Sir, in connection with Demand No. 3 may I say that it has been possible to meet from savings the whole of this expenditure of Rs. 60,000 for which the demand is being made and in view of this the Government want only to make a token demand of Rs. 10. The rest would be met by re-appropriation from savings.

**Mr. Speaker** : If the Honourable Minister wishes to move a token demand in place of the original demand, he may withdraw the demand and give notice of the fresh demand which the honourable member wishes to move.

**Minister for Finance** : I really wished to withdraw this motion and wanted your ruling on this matter. We have no desire to push the demand now. We will give due notice. It was merely for the convenience of the members that I mentioned the matter.

## EDUCATION.

**Minister for Finance** (The Honourable Mr. Manohar Lal) : I beg to move—

That a supplementary sum not exceeding Rs. 40,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Education (excluding European and Anglo-Indian Education).

**Mr. Speaker** : Motion moved—

That a supplementary sum not exceeding Rs. 40,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Education (excluding European and Anglo-Indian Education).

There are four amendments. <sup>1</sup>Amendments Nos. 2, 3 and 4 are out of order. Amendment No. 1 regarding the omission of Rs. 38,800 on account of maintenance grants to district boards which stands in the name of Khawaja Ghulam Hussain may be moved.

*Introduction of free and compulsory education.*

**Khawaja Ghulam Hussain** (Multan Division Towns, Muhammadan, Urban) : I beg to move—

That the item of Rs. 38,800 on account of maintenance grants to district boards be omitted.

The reason which has compelled me to move this out is to point out the extreme inadequacy of the grant for purposes of disseminating free and compulsory primary education in the country. Our grave need to-day is that literacy should be increased in the province. We are told that there is, at

<sup>12</sup> **Sardar Kapoor Singh** : That the item of Rs. 38,800 on account of maintenance grants to district boards for vernacular education be reduced by Rs. 100.

REMARKS.—To criticise the present grading system of grants to district boards.

3. **Lala Duni Chand** : That the demand be reduced by Re. 1.

REMARKS.—To urge extension of girls' education in rural areas.

4. **Khawaja Ghulam Hussain** : That the item of Rs. 38,800 on account of maintenance grants to district boards be reduced by Rs. 1,000.

REMARKS.—To point out the necessity of increasing literacy in the province.

present, going on a good deal of wastage in schools and colleges. We are also told that the number of students that are actually on the rolls is much too small as compared with the number of those who do not go to schools. We are also aware of the appalling illiteracy which is prevalent all round and it is indeed a matter for regret, that no attempt whatever has been made so far to remove the illiteracy which is prevalent in the province. Last time when a similar discussion was raised over this question we were told that the Unionist Ministry was only about a couple of weeks old and we could not expect any achievement from them within that short period. Now, of course, it is impossible to advance an objection like this. What we want plainly in straight and honest manner, is that the Honourable Minister in charge of the Education portfolio should state on the floor of the House as to what his policy is with regard to this very important question.

**Mr. Speaker :** Which question ?

**Khawaja Ghulam Hussain :** This question about making primary education compulsory throughout the province.

**Mr. Speaker :** The honourable member is not speaking to the motion before the House. He is discussing the general policy or the general need of the province in a particular matter. He must confine his speech to the demand itself which relates to maintenance grants to district boards. That is the subject to which the demand relates and that is the subject which the honourable member may discuss. He cannot discuss the general policy of primary or secondary education or illiteracy in the province.

**Khawaja Ghulam Hussain :** The grant to district boards is being given for the purpose of primary education in the province. My point in moving the motion is to point out the extreme need of making primary education free and compulsory in the province ; and I think I am not out of order in discussing that need and bringing to the notice of the Honourable Minister in charge of Education the appalling waste that is going on in schools as well as the illiteracy which is prevailing in the province.

With these words I move the cut.

**Mr. Speaker :** The question is—

That the item of Rs. 38,800 on account of maintenance grants to district boards be omitted.

*The motion was lost.*

**Diwan Chaman Lal** (East Punjab, Non-Union Labour) : In regard to the first portion of the demand I think the House will agree with me that if the lot of the teachers in the district boards is to be improved, if the cut in their salaries is to be restored and if provision is to be made for the expansion of girls education, this House would wholeheartedly support any steps which may be taken in that particular behalf. I do not think any member of the Opposition is likely to object to that particular portion of the demand which relates to the improvement of the lot of teachers and the expansion of female education. My objection is this, that in part (b) of the demand an explanation is given with reference to this demand on page 13. It is stated that a sum of Rs. 32,100 was in arrears since last year. I want an explanation from the Minister for Education and from the Finance Department as to why this particular item which was in arrears since last year was not included in the general budget which was presented at Simla. What

[Diwan Chaman Lal.]

is the necessity of bringing it in now? Why was it not brought in when the budget was presented to the House during the Simla session, although at that time both the Ministers must have been aware of the fact that a sum of Rs. 32,100 was in arrears in regard to payment to the district boards?

My second objection is this. It is hardly an objection, but something to which I want to direct the attention of the Honourable the Finance Minister, namely, that perhaps it would be desirable to give us details of headings of the various items demanded under supplementary demands so that honourable members of the House may be in a position to judge and check each item separately instead of lumping the items together without any possibility of the Opposition members or even Government members or members of the Unionist Party being able to follow the details of the expenditure which is going to be incurred. I see no reason why the same procedure should not be followed in regard to supplementary grants at the time when the main budget is presented to the House.

When I raised that point the Honourable Finance Minister was not present and with your permission I would draw attention once again to the point namely that last year according to the admission of the Honourable Minister himself he must have been aware of the fact that a sum of Rs. 32,100 was in arrears? Why was it not brought in when the budget was presented to the House at Simla? My submission is that in future the Finance Minister could direct the attention of the department to the fact that no such method should be adopted and no such delay should occur in presenting the demand to the House when it becomes necessary for the purpose of education or any other purpose.

**Mr. Speaker :** The question is—

That a supplementary sum not exceeding Rs. 40,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Education (excluding European and Anglo-Indian Education).

*The motion was carried.*

#### PUBLIC HEALTH.

**Minister for Finance** (The Honourable Mr. Manohar Lal) : I beg to move—

That a supplementary sum not exceeding Rs. 24,740 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Public Health.

**Mr. Speaker :** The motion moved is—

That a supplementary sum not exceeding Rs. 24,740 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Public Health.

*Participation of Public Health Department in the All-India Exhibition.*

**Pandit Muni Lal Kalia** (Ludhiana and Ferozepore, General, Rural) : I beg to move—

That the item of Rs. 7,000 on account of participation of the Public Health Department in All-India Exhibition of Arts and Industries, Lahore, be reduced by Rs. 100.

Out of this item of Rs. 24,740, Rs. 10,000 is required for participation of the Public Health Department in the All-India Exhibition of Arts and Industries, Lahore. In this supplementary estimates we require Rs. 80,000 under different heads. Rupees 14,000 has already been disposed of under Forests. Rupees 6,000 is to be taken up in the next item under the heading Veterinary. Rupees 1,01,000 has to be taken up under the head in question. My submission is that in view of the appalling poverty of the province and in view of the bad condition of roads and other things in the rural areas of the province, it was not proper that so much sum should have been spent on this function. After all, this function is an item of the imperialist programme to push forward the sale of foreign material in this country. It would have been much better if this item were included as has just been pointed out by my friend Diwan Chaman Lall, at the Simla session of the Assembly. The holding of the Exhibition at Lahore was not a new idea, was not a sudden thought, was not a thought that only came in one night to the ministerial benches. It must have been a thought that was in the brain of the Unionist Party to hold the Exhibition here or other things of a similar kind and for which provision could adequately have been made at the time of the budget. Unwarranted attempt has been made by the Treasury benches to include such items under contingencies. I have to point out, Mr. Speaker, that there is a departure from the Parliamentary practice, no sanction having been obtained.

In the case of a contingency only such items should be included that are unforeseen. With regard to the expenditure for the Exhibition of the nature that is now being held at Lahore for the last month or more, it did not require much stretch of imagination to foresee it and to provide the expenditure under the head of contingencies. It is an expenditure complete in itself and could be well thought of and provided for at the time of the budget. Spending such sums only for propagation is not a thing which can be said to have been done in the interests of the zamindars not to say in the interests of banias. The present item is included in the Public Health Department. What is being done under this item? It is stated that this expenditure has been incurred with a view to show to the public "the design of houses on hygienic lines, ventilation, lighting and proper methods of disposal of liquid and solid wastes have been demonstrated in a full-sized model village house and the sanitary arrangements appropriate thereto." Is it not most unfortunate that this heavy sum is being spent on just showing a model village to the few villagers that come to see the Exhibition? It would have been far better if that money had been spent on constructing roads or on giving practical training to the villagers. Of all the visitors that have come to see the Exhibition, I can safely say that not more than 10 per cent. or 15 per cent. have come from the villages. Most of the visitors have come from Lahore, Amritsar and other urban areas, but the expenditure is being incurred in a department which is most likely to do good work in rural areas. This is the sort of interest which the Unionist benches show in villages when their Ministers go and make propaganda speeches to the effect that they are doing so much for the zamindars. Here is one example, that is Rs. 80,000 are being taken out of the provincial fund for spending on an exhibition for which a provision ought to have been made.

[Pandit Muni Lal Kalia.]  
in the original budget. With these words I move that this sum should not be allowed.

**Mr. Speaker :** Demand under consideration, motion moved is—

That the item of Rs. 7,000 on account of participation of the Public Health Department in All-India Exhibition of Arts and Industries, Lahore, be reduced by Rs. 100.

**Mrs. J. A. Shah Nawaz** (Parliamentary Secretary): Mr. Speaker, I was very much surprised when I saw last evening this cut motion which has been submitted to this House by my honourable friend on the opposite bench. I thought perhaps Pandit Ji had not been to the Exhibition and had not been able to see the Public Health section, otherwise he would have never submitted this cut motion with regard to the department we are discussing now.

What is the main work of the Public Health Department? As most of the people understand it to mean, it is preventive work, just as what the medical relief work is on the curative side. What is meant by preventive work? It is that we should carry on propaganda wherever it is possible to do so, in the different parts of the country, in rural areas and villages in order to educate the people and show them by models or otherwise what ought to be done to prevent disease entering their village, town or city. In my opinion, in an exhibition of the type of an All-India Exhibition, that is being held here in Lahore, it is essential that a good stall representing the Public Health Department of our Government should be placed. What is being shown in this stall? Take the preventive side. A model house has been set up to illustrate what type of a house would be excellent from the point of view of health. An illustration is also given of how to dispose of liquid and solid refuse and how easy it is to utilize the kitchen water in growing vegetables, etc.

My honourable friend on the opposite bench says that he believes that not more than 10 per cent. or 15 per cent. of persons from the rural areas have visited this section. I do not personally agree with him, for I think more than 40 per cent. of the visitors have been from the rural areas, but even believing that only 15 per cent. of the villagers have visited the exhibition, just think how many must have taken new ideas with them into the rural areas.

This much about the model house. But that is not the only thing which is placed in that section. There are innumerable other things that have a tremendous educative value; take, for instance, the nutrition side. In that section animals have been placed that have been put on special diet, to show how the deficiency in proper food makes people lose health and strength. Similarly some other animals have been placed which have been put on special diet to explain that the diet usually taken by the people has a false nutritive value, and how a few additions of ordinary things can make people thrive on it. Along with that there is a welfare centre that demonstrates what ought to be done for ante-natal, natal and post-natal cases, showing and demonstrating and illustrating to the people what is essential for taking care of the child as well as of the mother in child birth. Mr. Speaker, I

4 P.M.

would request my honourable friend on the opposite bench to go and visit these sections and see for himself how well the Rs. 7,000 have been utilised and how much educative value it is going to be to the people who visit that section. The same is the case with many of these sections exhibited on behalf of the Punjab Government in the All-India Exhibition of Arts and Crafts. It is no exaggeration on my part to say that this section is one of the best that has been placed in the Exhibition and I appeal to my honourable friend to withdraw this cut motion. We require several exhibitions of this nature to make the people realize that prevention is always better than cure. (*Applause*).

**Dr. Gopi Chand Bhargava** (Lahore City, General, Urban): Sir, I am one of those who had the privilege of visiting this exhibition and seeing the sections which have been arranged by the different Government departments. I was taken round by the officers on duty there to many of these sections and shown many of the exhibits, but I was not fortunate in going round the Public Health section because it was 7 p.m. when I went there and probably the man in charge had left it. But as a medical man, a man interested in public health I could go round myself and see things for myself. Now looking to the budget which we passed during the last Simla session we find that it was estimated that the income from the Exhibition would be Rs. 1,20,000 and the expenditure Rs. 1,28,500. Then we were told that practically the Exhibition would be a self-supporting affair. I am not in the know of things. I do not know what is the amount which has been actually spent by the Government. But this much I know, that contracts were given, stalls were rented out and I am told that a very large number of people have visited the Exhibition and therefore one could think that there would be no loss to that Exhibition. When we had so much on the receipt side, Rs. 1,20,000, I think it is not fair for the Industries Department who manage this Exhibition to charge anything as rent from the different departments of the Government. Under this item we find that out of Rs. 7,000, Rs. 4,000 is the rent of the space required for the exhibits in the Public Health Department. Then the construction of a full sized model village has cost Rs. 2,500. Models, apparatus and material for the other exhibits together with the services of demonstrators, has cost Rs. 3,500. So my first objection is to the paying of rent to the extent of Rs. 4,000 out of Rs. 7,000. The Government has already sanctioned Rs. 1,28,500 and that for clearing the place, building stalls, etc. Then, let us examine whether the way in which the Public Health Section has been arranged would educate us or the masses to lead a better life or eat better diet or to arrange in a better way for maternity cases. When I went to that section what did I find? I found it was the dirtiest of all sections. I do not exaggerate it. There was dust all over the things exhibited as eatables and others. I am one of those who would always like to arrange such exhibitions not only in big towns but even in villages. I am in favour of travelling exhibitions to educate masses. It is only by this way that you can educate them and not by arranging exhibitions in very big towns. Being an advocate of exhibitions myself I oppose this expenditure because the things which were shown there and the way in which they were exhibited do not help in the education of the masses. Now let us examine the

[Dr. Gopi Chand Bhargava.]

nutrition side. Charts are put up there. Such and such articles contain so much of vitamin, so much of protein, so much of carbo-hydrate and are of so much caloric value. But what do we really need? No doubt as a scientific man one would like all things to be stated and exhibited. But the ordinary man who comes from the village or from the city does not understand these things. He would understand it better if he were told that he should take so much of wheat flour, so much of bajra flour, so much of gram flour and so on, so much *lassi*, so much milk, so much vegetables, so much of this vegetable and so much of that vegetable. But what is really exhibited there is not one which would educate the villager. I then examined the vegetables exhibited there, and other articles of food. As I have already said, there was a lot of dust on them. But leaving aside the dust, the quality of the vegetables was not first class which could be found in the ordinary market. Then there was a full sized model village house. I did see a house which was constructed in front of the public health section. But I had not the courage to go inside because from the outside appearance one could know it was a small bungalow. Inside that there was no light. It was all dark there and therefore I do not think any man would consider that such a house could be a model house for a villager or even for anybody to live in. But, Sir, my further submission is that we have got a section of the Rural Reconstruction Department there which exhibits the ventilators which every village house should have and chimney-pieces which every village house should be provided with. When we had that model house which was within the power of every village to build or to live in, where was the necessity of building a cottage worth Rs. 2,500? Everybody knows that an ordinary man cannot afford that amount. Now, what is the difficulty? The difficulty is this that we have arranged this exhibition on an All-India basis entirely. The Punjab Government wanted to organise the Exhibition, which would not be, in any way, inferior to the exhibitions organised by other provinces in different years. But when we organise an exhibition, we organise it for the benefit of the rich people and not for the poor people. Whenever there is a maternity show or there is a child welfare exhibition, we find that those articles are exhibited which a villager cannot buy or cannot provide himself with. What is the use of such exhibitions to an ordinary man in the street, an ordinary citizen of this province? Therefore, in my opinion this amount should not have been spent or if it had to be spent it should have been spent in a way which would have benefited the ordinary man or befitting the Public Health Department. It might be said that those, who live in cities, why should they be deprived of any education that can be derived from such exhibitions? I do not mind it. Even then, when we say that we should do things which are within the power of every man, what is the use of doing extraordinary things, showing things which we cannot ordinarily get or provide within our own houses? The middle class man cannot afford it. I am of opinion that such exhibitions should be arranged for giving us some real education, or we should show things, which the people would like to follow or we should guide them in a way in which we should like people to act. I cannot say that I was disappointed by going and visiting this exhibition in all departments. There are certain departments which are of some benefit to us. As

they do not concern this item I cannot discuss them, but by the way, I can say that if we go to the dyeing department and the printing department, I think one can learn very much from these departments and can help in the industries of the province. But the Public Health Department does not benefit us in any way in the public health line. Therefore I beg to support this amendment.

**Master Kabul Singh** (Jullundur East, Sikh, Rural) (*Punjab*) : rise to support the cut motion moved by my honourable friend Pandit Muni Lal Kalia. It appears that the Honourable Finance Minister is labouring under a misapprehension. It is claimed that the exhibition is intended for the education and instruction of the villagers. The model house constructed by the Health Department in the grounds of the Lahore Exhibition is supposed to instruct the villagers in the methods of house planning, proper ventilation and the construction of windows and that if the villagers carry out these instructions, they will redound to their benefit both in the matter of health and general prosperity. It is absurd to spend so much money on the instruction of the villagers in such matters. It is a waste of public money. The real cause of their ill-health does not lie so much in the defective construction of their houses or the position of the windows or ventilators, as in the fact that they do not get enough to eat.

Mr. Brayne, says, "Have ventilators in your houses and thus guard your health. Keep your animals in sheds". But the trouble is that the poor villagers have not got houses good enough to keep off the cold. How can you expect them to make separate sheds for their cattle? A sum of rupees seven thousand has been spent unnecessarily. The villagers cannot afford to construct houses on the model of the one built in the exhibition grounds. This huge sum could have been spent in a much better way if it had been allotted for the filling up of the pits and improving the surroundings of some village. For example, my own village is extremely unhealthy. It is dangerously malaria ridden. A part of this sum could have been spent on its improvements.

How can those people benefit by the training which is supposed to be given through the exhibition, who cannot even afford to pay their fare to and from Lahore. The money realised in the form of land revenue has been recklessly spent to provide entertainment for the Nawabs and the people living in towns.

**Minister for Finance** : Why do you not mention the Sardars?

**Master Kabul Singh** : In holding this Exhibition no regard has been paid to the sentiments of the people. It is nothing but playing a cruel joke on the illiterate poor. It has been claimed that the exhibition has provided an opportunity for the dairy man to get free instruction in the matter of keeping his cattle and providing them with the proper kind of fodder. What can a peasant give to his cattle when the fodder has been destroyed by hail-storm? The cattle are the mainstay of the peasant. That is the pivot round which his simple life revolves. He is feeding his animals on the leaves of shisham and chhichhras. The money that has been wasted on getting up this show should have been spent for the relief of the peasant. It is a most improper use of our money to hold such exhibitions for the

[Master Kabul Singh.]

entertainment of the rich residents of towns. The model house exhibited for the peasant as a model is of no use to him and he cannot afford to build one like it. You might very well make some miserly bania who with all his wealth does not possess a proper dwelling to take a tip from your exhibited model. It is of no use as an example for those who have not got the means for giving it a practical shape.

**Minister for Development** (The Honourable Chaudhri Sir Chhotu Ram) : Sir, I had been hoping that the Congress Opposition Party in this House would be able to take a fairer view of the Exhibition than it has done. Am I to understand that the Opposition think that no exhibition should be held anywhere to promote the cause of industries ?

**Lala Deshbandhu Gupta** : Nobody said that.

**Minister for Development** : That is exactly what the last speaker said. However, if it is conceded that in order to promote the cause of industries in the country it is essential that we should hold exhibitions off and on, sometimes in one place and sometimes in another, then the holding of the present exhibition was the best thing that could have been undertaken by the Industries Department. Further, if honourable members opposite concede that the idea of holding an exhibition in the Punjab was a laudable one, let us see whether any legitimate cause for complaint exists in facts.

**Pandit Muni Lal Kalia** : Is the honourable member speaking to the motion now before the House ? My cut motion relates to one particular item of Rs. 7,000 for the Public Health Section and not to any other thing connected with the Exhibition.

**Minister for Development** : My honourable friend was so irrelevant that I am obliged to indulge in a little irrelevancy myself in order to meet his arguments. He said that this Exhibition was held in the interests of Imperialism.

**Pandit Muni Lal Kalia** : Is the honourable member justified in calling me irrelevant ?

**Mr. Speaker** : I do not think it is unparliamentary to say that another member's speech is not relevant.

**Lala Deshbandhu Gupta** : Two wrongs will not make one right.

**Minister for Development** : May I tell my honourable friend that the definite principle upon which the General Managing Committee proceeded was that no article from any country whatsoever would be allowed to enter the Exhibition grounds if it entered into competition with articles produced in our own country. That was the first principle which the General Committee of the Exhibition decided to apply to foreign exhibits. However no foreign country has, fortunately or unfortunately, cared to exhibit its articles. But I may inform the House that when the Government of Ceylon wanted to exhibit certain articles which we thought might enter into competition with Indian made things we definitely told them that their articles could not be allowed to be exhibited.

**Lala Deshbandhu Gupta** : What about the wrestling match with the Chinese wrestler ?

**Minister for Development :** This does not relate to the demand under consideration.

Now I come to the point raised by one of the honourable members as to why this amount was not included in the original budget presented to the House in July last. I beg to submit that at the time when the original budget was introduced various departments did not know whether they would have to exhibit their articles in the Exhibition. Therefore they could not possibly have sent in their estimates in respect of the expenditure involved in participating in the exhibition.

**Lala Deshbandhu Gupta :** Who was responsible for not supplying this information to the various departments in time ?

**Minister for Development :** They did not know whether they would be given an opportunity to exhibit their articles. It was only after it had been decided by the Heads of Departments with the concurrence of the Minister concerned to participate in the exhibition that they could possibly come forward with these demands, and this decision was taken much later than July last.

Another objection taken is that the model house which has been erected in the Exhibition grounds costs a good deal more than an average villager could possibly afford. That is perfectly true. But what was really required was the presentation of a model house—a model to which houses in the country side should correspond. It does not necessarily mean that the material that has been used here should also be used by the villagers, nor that hired labour which was essential here should all be engaged by villagers or that the house should be just as large as the house here. Moreover as the model house has been constructed in the town of Lahore it has cost much more than it would in a village. Lastly it is there as a model, it should serve the purpose of a model in design and no more.

Another point to which attention was drawn by the Leader of the Opposition was that in some respects the Exhibition had served a fairly good purpose, while in other respects it was very disappointing. I do not know to what particular department of the Exhibition he was referring apart from the Public Health Department. But if he was speaking about the Exhibition as a whole, I may be allowed to contradict him on the authority of three Ministers from Congress provinces. The Honourable Mr. Giri, the Honourable Mr. Patel, and the Honourable Mr. Biswanath paid a visit to the Exhibition. They expressed themselves in explicit terms that they had been very favourably impressed by what they had seen in the Exhibition, and that the Punjab had been doing a good deal more than any other Indian province in the matter of industries, agriculture, veterinary science and so on. (*Hear, hear.*)

**An Honourable Member :** Those remarks were offered merely for the sake of courtesy.

**Minister for Development :** If the Honourable the Leader of the Opposition knows the views of the Ministers that came from Congress provinces, he ought to advise his followers to withdraw this cut motion.

**Mr. Speaker :** May I ask whether the amount of Rs. 7,000 has been spent already or is yet to be spent ; and if it has been spent, with whose sanction ?

**Minister for Development :** I presume that this amount has already been spent and has been spent with the concurrence of the Finance Department.

**Mr. Speaker :** May I know under what rule or law the Finance Department could give sanction to an expenditure beyond that sanctioned by this House ?

**Minister for Finance :** The expenditure was incurred in anticipation of the sanction of this House.

**Mr. Speaker :** Under what law or rule ?

**Minister for Finance :** The practice pursued in the past furnishes an indication by which we are guided.

**Diwan Chaman Lall** (East Punjab, Non-Union Labour) : I am very glad that you have pointed out the very thing that I have been worrying this House about since the last session. When I referred to the grant in the beginning I was referring to this particular matter, i.e., the departments have been spending money without the sanction or authority of this House and thereby making themselves liable for a criminal charge under the Criminal Legislation of the country (*Hear, hear*). I do not see any reason why particularly the department of Public Finance should be so lax in its methods as not only to present us with items which should have been included in last year's budget, but actually to present us with items now which they have already expended and come to this House because they know that they have a majority behind them. I think it is not a matter of the propriety of their spending the money or the legality of spending the money or matters which are of no concern to the honourable members opposite. It is, Mr. Speaker, a matter for you to decide and since objection has been raised by you on this point, I do hope that whatever action may be taken against the departments of the honourable ministers in charge of the entire Government, it will be such that for the future these honourable members with all the expert advice at their disposal, with all the legal acumen at their disposal, will not be guilty of such contempt of the procedure and legality governing the business of this House as they have been in the past. I do hope my honourable friend the Minister for Development will not put forward such absurd and such idiotic statements as he has been making on the floor of this House to the effect that —

**Mr. Speaker :** Order, order. The words "absurd" and "idiotic" to say the least are very strong, if not unparliamentary, and, therefore, may be withdrawn.

**Diwan Chaman Lall :** If they are strong words, then I am prepared to withdraw them. May I say such utterly imaginary, utterly ignorant and amateurish statements as he has been (*laughter*) making on the floor of this House to convince this side of the House that he, the Minister of Development, is entirely in touch with the peasantry of this province to such an extent that he knows that the peasantry of the province can possibly spend Rs. 2,500 on a modern hut as exhibited in the Exhibition ? A sum

of Rs. 2,500 for a model of the house. What is a model for? A model is to be followed and not merely to be exhibited for the purposes of the average person who has nothing to do with such things. A model is to be there so that a peasant may come and see and then say to himself, "This is the manner in which I should live, this is the type of house the Government want me to live in". What does the Government spend on it? A sum of Rs. 2,500 and expect the peasantry (*laughter*), with which the Government is in touch, to spend in each village Rs. 2,500 on each house. This is the method of administration of honourable members opposite, who are unaware of the needs of the peasantry, of the pecuniary position of the peasantry of which they stand as the self-appointed guardians in this province! Mr. Speaker, these are the objections that we have against honourable members opposite for their coming forward with supplementary grants. May I ask my honourable friend the Minister for Development if he did or did not contemplate the idea originally, *ab initio*, that the Public Health Department should participate in the All-India Exhibition of Arts and Industries? May I also ask him if he did not consider these matters, e.g., the value of nutrition for workers or value of decent housing for the peasantry or deficiency of diet or means for safeguarding the health of the workers and for guarding against accidents in the course of employment in industry? May I ask, will these matters affect the life of the industrial worker or the peasant? After having decided to hold an exhibition, of which the main object seems to be not to promote industrial activity in the province but to hold tremendous wrestling matches, *Mushairas* and singing and nautch parties, I fail to understand how the industrial progress of the province is going to be fostered by such spectacles. I cannot understand for the life of me, nor can anybody on this side of this House understand how industrial progress is going to be fostered by the wrestling matches and all these entertainments. Did not the Honourable Minister know in the beginning that this was a very important department whose activities are of very grave concern to the people of this province and that this particular department should participate in the Arts and Crafts Exhibition, and if he did know that, why did he wait for so many months? I do not know what my honourable friend the Minister of Development is murmuring to his colleagues there. He should murmur to me and if he makes himself audible I will give him the reply. I do not know if my learned friend was utterly ignorant of the needs of this province—the peasantry and the industrial workers. He did not pay that much attention to the activities of this department at the time the idea originated with him. Why did he come forward at a later stage to originate this idea? I want to show how absolutely without any regard to the needs of the people, the Government of this province is being run by my learned friends. Not only are they absolutely full of disregard for the legalities of the situation, for the law on the point, for the procedure governing such demands, but their methods of administration are such that an important department like this is not even considered fit enough for purposes of being included as part and parcel of the Arts and Crafts Exhibition originally. But it is only after some bright gentleman of the Civil Service comes along to my learned friend and suggests that this department might also take part in the Exhibition—after the decision has been taken that wrestling matches are of very great importance for the fostering of industrial

[Diwan Chaman Lall.]

activity in the province—that my learned friend considers that this demand should be presented to this House and further money should be demanded for this particular purpose. I would submit that this House should not in any circumstances be a party to the extravagances of my learned friend opposite. This House should never be a party to the granting of a sum of Rs. 2,500 for a model village hut for purposes of teaching the peasants of this province to live better and live in similar huts. The only object can be to live in similar huts but I wonder if during the tenure of my learned friend's office he will be in a position to show any income to the peasant which should be sufficient to enable him to live in a house costing Rs. 2,500. My learned friend is really divorced from the realities of the situation. If he thinks this House or at any rate this side of the House is going to be party to the extravagances of my learned friend in spending Rs. 2,500 or rather wasting this amount on a model for a village hut, then he is entirely mistaken. On these grounds, Sir, I oppose this particular grant. (Applause).

**Mir Maqbool Mahmood** (Parliamentary Secretary) : It is very pleasing indeed to hear the melodious voice of my honourable friend opposite after his absence from this House for so long, but angels are jealous. When they gave him such melodious voice and such ingenious brain, they cruelly deprived him of all sense of realities. When he described the activities of an honourable Minister on a matter of public utility in terms "idiotic and absurd" I could only say that his own conduct in using these expressions is such as cannot be adequately described in parliamentary language.

**Mr. Speaker** : That word has been withdrawn.

**Mir Maqbool Mahmood** : I am glad that my honourable friend withdrew it, and I hope in future he will not make statements which he may have to withdraw later.

With regard to the merits of the motion, the first question raised by my honourable friend was to the effect, why was this grant not included when the original estimates came up? I submit that this argument, if I might say so with due deference, is based on an absolute ignorance of the science and method of forming budgets and I would with your permission invite the attention of my honourable friends concerned to the following statement in May's Parliamentary Practice and the procedure of framing budgets in England is practically the same as in vogue here. This is what is stated at page 500 of May's Parliamentary Practice :—

"The need for a supplementary grant to an existing service is not infrequently caused by the system in force to ensure the control of Parliament for public expenditure. To provide for the early presentation of the annual estimates, the departments are obliged to compute in the month of November their anticipated expenditure for the ensuing financial year, dating from the coming 1st April. Fallibility must attend calculations which range over sixteen months in advance; and as too large a demand for money is grave departmental error, the official tendency is to make the demand too small. If the lesser error occurs, to avoid the still greater evil of excess expenditure, recourse of necessity must be had to a supplementary grant."

I submit that the House is doubtless aware that when the original estimates for the current budget were framed, the present Government had not come into office. In fact part of the budget giving details had been worked out and I think it stands to the credit of the Government, to the

Finance Minister and others concerned that in such a short time they could find money and had the foresight to include a lump sum of one lakh for the exhibition. At that time details of the expenditure required were not prepared.

Another objection raised is that the sum of Rs. 2,500 for a model house is too large for a villager of this province. Granted ; but I submit that there are also middle classes in the country. I claim that it is as much the right and privilege of the middle classes as of other classes to find instructions and models provided for their utility. I declare that it is the first duty of the government to cater for the poorer classes. That is being done and will be done, but simultaneously it is the duty of every civilised government to look after the middle classes also. I am sure my friend opposite will not grudge the small mercy, or the small model or concession or the small amenity provided for the middle classes of this province.

I find that my honourable friend raised an objection about wrestling and *mushairas* being provided at the exhibition. I am sure the house must have been shocked by the statement made by the honourable member for whose appreciation of cultural and physical side of the province I have had great regard.

**Mr. Speaker :** That aspect of the question is not under consideration.

**Mir Maqbool Mahmood :** I wanted to meet the argument put forward by my honourable friend. He said that the amount provided for the public health side was being wasted. I am trying to meet that argument. I would with due deference submit that we in the Punjab and particularly the present Government are trying and will continue to do our best not only for the national side but also for the cultural and physical amelioration of the Punjab.

**Pandit Muni Lal Kalia :** On a point of order, Mr. Speaker. In spite of the ruling from the Chair my honourable friend on the other side is still speaking on that point.

**Mir Maqbool Mahmood :** If my honourable friend had a little patience he would have followed my argument. It is essential that if we consider it useful for the public health side that we should have wrestling matches in the exhibition——

**Mr. Speaker :** I have already ruled that that argument is out of order. (*Hear, hear, from the Opposition Benches.*) I would request the honourable member to speak to the item of the demand, which is before the House, and not reply to irrelevant arguments.

**Mir Maqbool Mahmood :** Mr. Speaker, now that you have declared those arguments as irrelevant I will not waste my time on them any more.

So far as the public side of the Exhibition is concerned it has been made clear by speakers on this side of the House, and particularly by my distinguished sister, Begum Shah Nawaz, that useful work is being done in

[Mir Maqbool Mahmood.]

the Exhibition and particularly in the public health section. My honourable friend, the Leader of the Opposition, suggested certain improvements which could be brought about. I am sure the Honourable Minister for Development would welcome constructive suggestions for improvement in this or any other side of the activity. We are all agreed that the Exhibition is doing useful work indeed. No one can say that this Exhibition or as a matter of fact any exhibition even in a Congress province is not capable of improvement. But I certainly do believe that useful work is being done particularly on the public health side and by the Red Cross section which I saw myself. I feel that in this matter every fair-minded person will endorse the action of the Government.

(Voices : Question be now put.)

**Mr. Speaker :** The question is—

That the question be now put.

*The motion was carried.*

**Pandit Muni Lal Kalia :** Mr. Speaker, sufficient has already been said on this motion moved by me. I do not think at this stage I should ask the honourable Begum Shah Nawaz on the other side whether the surprise that overtook her last evening on reading this motion has been dispelled or not after hearing the discussion. I am very sorry I am not in a position to withdraw the motion because it is a question of principle. The question is whether such a sum, as has been pointed by the other speakers, can be spent without the sanction of this House. Then there is the question whether the Treasury benches or the Minister in charge could not have anticipated such an expenditure at the time when the budget was presented before the House. Then there is the question whether it was appropriate, whether it was reasonable, whether it was sound, that a sum of Rs. 2,500 could be spent by an ordinary villager considering the house for which a model was presented in the Exhibition. It was pointed out by my honourable friend that it was for the middle class, while it is urged by the Honourable Minister that this Government is not of the middle classes, that it is the Government of the zamindars and the landlord. The middle classes are not included either amongst the landlords or the villagers. We do not grudge any benefit that is being given by the educative side of the Exhibition to the middle classes, but the question is whether this amount of Rs. 7,000 could not be well spent in some ways as suggested by Diwan Chaman Lal or Dr. Gopi Chand Bhargava, and whether a travelling exhibition or something of the kind could not be introduced in rural areas so that people there could benefit themselves. In this case when they are not in a position to come to Lahore, how can they be expected to know what has been done in the Exhibition? I am only confining myself to the points raised by this motion and hope that the House will reject this amount of Rs. 7,000 which is an unnecessary burden on the poor people of this province.

**Lala Deshbandhu Gupta :** May I ask the Honourable the Finance Minister one question? He has pointed out that it has been the practice of this House to present supplementary demands like that. I want to know from him whether the same practice is to be followed hereafter.

**Mr. Speaker :** The Honourable Finance Minister has already placed in my hands the Punjab Budget Manual which is still in force. On page 117 I find the following rule :—

“ When an Administrative Department submits to the Finance Department a demand for a supplementary or additional grant requiring the sanction of the Legislative Council, the Finance Department will, in addition to taking steps to lay the estimate before the Council proceed as follows :—

I will read the relevant portion—

When Government after consulting the Finance Department authorises expenditure to be incurred (or condones expenditure which has been incurred) in anticipation of the order of the Council. In such cases the matter must be reported to the Accountant-General.....”

So, under this rule, in anticipation of sanction of the Assembly, the Government could incur the expenditure.

**Pandit Muni Lal Kalia :** May I draw your attention to section 81 of the Government of India Act which supersedes the provisions of the Budget Manual just read out by you. It reads :—

“ If in respect of any financial year further expenditure from the revenues of the Province becomes necessary over and above the expenditure theretofore authorised for that year, the Governor shall cause to be laid before the Chamber or Chambers a supplementary statement showing the estimated amount of that expenditure, and the provisions of the preceding sections shall have effect in relation to that statement and that expenditure as they have effect in relation to the annual financial statement and the expenditure mentioned therein.”

So under section 81 it was for the Governor to place before this House the supplementary estimates, and therefore the Finance Minister could not have had resort to the procedure as laid down in the Budget Manual. The supplementary estimates should, as a matter of fact, have emanated from His Excellency the Governor and then it should have been for the House to decide whether such supplementary expenditure was to be approved or not.

**Minister for Finance** (The Honourable Mr. Manohar Lal) : This supplementary estimate contemplated by section 81 of the Government of India Act is here before the House on the recommendation of the Governor. So the requirements of section 81 are fully satisfied, but this provision in section 81 says nothing about Government being unable to anticipate expenditure where expenditure is urgently required and has been duly incurred. And the reason is perfectly simple. Every time it is found that an expenditure is urgently necessary and must forthwith be incurred, it is not possible to convene a meeting of this Assembly before the expenditure is actually incurred. Supplementary estimates cover, if I may say so, both situations : (1) where it is found, as a matter of fact, that the amount actually granted as a part of the normal budget expenditure would not cover a particular expenditure, a supplementary demand is preferred ; (2) where a service is of an imperative urgent character, and expenditure has to be immediately incurred in anticipation of the vote of the Assembly. In both events supplementary demands, that is, demands to supplement the grants at the time of the Annual Financial Statement are made.

**Malik Barkat Ali** (Eastern Towns, Muhammadan, Urban) : I just want to know whether it is really open to any Minister to spend away moneys

[Malik Barkat Ali.]

without the sanction of this House. The Government of India Act that has been read out to us just now does not authorise anything of the kind. If there is anything in the Budget Manual to say that it is open to Government to spend away moneys in anticipation of sanction, that is really not an authority, conflicting as it does with section 81 of the Government of India Act, and I respectfully submit that it is a grave encroachment on the rights of this House that Ministers should be in a position to spend away money without previous sanction, and after they have spent away thousands, to come to this House and ask for sanction. I ask you to kindly give us your ruling on the point, whether it is open to a Minister to spend away moneys like that. It is no answer to say that the House could not be convened. My friend the honourable member from Amritsar read out from May's Parliamentary Practice. You will be pleased to see that we are not against the supplementary budget itself. We do not say that supplementary budgets and estimates should not be introduced. All that we say is this that supplementary estimates should be introduced before incurring the expenditure and it is no answer to say that we had no time to call the House. The House last met in July. I submit that there was ample time for this House to be called and this sanction obtained. I submit that the Ministers have no right to spend any money unless the House has sanctioned it. No authority has been quoted by the Finance Minister under which he can spend away the moneys without previous sanction of the House.

**Pandit Muni Lal Kalia :** May I ask the Finance Minister whether the authority which has been supplied by him to the Chair has not been deleted or superseded by the instructions contained in the Rules of Business for the Ministers and His Excellency the Governor? I think that the instructions which are contained in these rules of business are confidential but I understand that there are certain instructions in that direction.

**Mr. Speaker :** Which manual is the honourable member referring to?

**Pandit Muni Lal Kalia :** It is a book published for the use of the Ministry and that book refers to procedure under which certain papers are to be placed before His Excellency. So far as I understand there is no reference made in this book to that method. That method has been left out.

**Minister for Finance :** I have not followed this complicated question.

**Pandit Muni Lal Kalia :** In view of section 81 and in view of the interim rules and standing orders promulgated by His Excellency no room is left for this Budget Manual. In my opinion it has no force and it cannot be relied upon. This Budget Manual is not at all followed. That is done by the Governor and His Ministers and for that there is a separate Code provided.

**Minister for Finance :** The Budget Manual is followed every day.

**Mr. Speaker :** May I just read to the honourable members one of the interim rules—rule 45 ?

The rule reads as follows :—

“ If in respect of any financial year money has been spent on any service for which the vote of the Assembly is necessary in excess of the amount granted for that service and for that year, a demand for the excess amount shall be presented to the Assembly and shall be dealt with in the same way by the Assembly as if it were a demand for a grant.”

Excess grants can be discussed and passed under this rule.

**Malik Barkat Ali :** The question is this, if these rules are in conflict with the Government of India Act, whether you, Mr. Speaker, as the custodian of the rights and privileges of this House, can declare that such a rule made by the Governor under the rule-making power is not *ultra vires*.

5 P.M.

**Mr. Speaker :** I would invite honourable member's attention to section 54 of the Government of India Act. He will see that the validity of rules made by Governor cannot be called in question.

**Malik Barkat Ali :** On the facts of the case money has been spent without the sanction of this House and we say that it is a serious interference with our powers. The House should have been called in time—not to-day—and I respectfully submit that so far as section 54 of the Government of India Act is concerned, to which you have been pleased to refer, it has very little bearing on this matter. With your permission I would read it out :

In so far as the Governor of a Province is by or under this Act required to act in his discretion or to exercise his individual judgment—

We are not challenging his discretion, we are not challenging his individual judgment—

—he shall be under the general control of, and comply with such particular directions, if any, as may from time to time be given to him by, the Governor-General in his discretion, but the validity of anything done by a Governor shall not be called in question on the ground that it was done otherwise than in accordance with the provisions of this section.

Before giving any directions under this section, the Governor-General shall satisfy himself that nothing in the directions requires the Governor to act in any manner inconsistent with any Instrument of Instructions issued to the Governor by His Majesty.

Now I would submit in all humility that section 54 does not apply to the facts of this case. If any act has been done by the Governor in the exercise of his discretion or in the exercise of his individual judgment that is beyond challenge. I respectfully submit that this expenditure sanctioned by the Honourable Finance Minister without the sanction of this House has nothing to do with section 54 and it is a gross encroachment on the rights of this House. I request, therefore, whatever may be the case for the present, that for the future you will be pleased to give us a ruling whether it is open to the Honourable Finance Member or any member of the Ministry with the sanction of the Honourable Finance Minister, to spend public money without the sanction of this House.

**Minister for Finance :** I should like to be heard before you give your final ruling on the matter.

**Mr. Speaker :** I shall be glad to hear the Honourable Minister's point of view. But the discussion, that has taken place, is not sufficient, in my opinion, for deciding the question which is of exceptional importance. So we may proceed with the business of the day and leave this matter, which has incidentally arisen, for fuller discussion and consideration, to a future day.

**Mian Abdul Aziz :** May I know whether you would give sufficient time and sufficient notice for the discussion of this important point which has been raised.

**Mr. Speaker :** It is for the Government to give time. The honourable members know how to approach Government for time for discussion of this or any other important matter.

**Mian Abdul Aziz :** Then some members shall give notice of an adjournment motion to-morrow.

**Mr. Speaker :** It is not a matter which can be discussed by means of an adjournment motion. The question is—

That the item of Rs. 7,000 on account of participation of the Public Health Department in All-India Exhibition of Arts and Industries, Lahore, be reduced by Rs. 100.

*The motion was lost.*

*Town Improvement Trust, Lahore.*

**Sardar Hari Singh** (Kangra and Northern Hoshiarpur, Sikh Rural) : I rise to oppose the whole demand. While rising to oppose the whole demand, I have the honour to draw your attention and the attention of the House through you to part (2) under this demand, Grant to the Town Improvement Trust, Lahore, to the tune of Rs. 14,000.

**Mr. Speaker :** What about other items ?

**Sardar Hari Singh :** I have to make observations on this point and I shall pass on, if need be, to other items. I maintain, Mr. Speaker, that in the Town Improvement Trust, Lahore, the rate-payers of the province—

**Mr. Speaker :** The honourable member apparently wishes to discuss a particular item. But I am afraid, I cannot allow this. If he is opposed to the demand, he should oppose it as a whole.

**Sardar Hari Singh :** I am opposing it as a whole including this item. I can speak on any particular item which is included in the whole grant.

**Mr. Speaker :** The honourable member should not discuss any particular item.

**Sardar Hari Singh :** It forms an integral part of the whole.

**Mr. Speaker :** The honourable member should have given notice of discussing the item which he now wishes to discuss.

**Sardar Hari Singh :** I am giving reasons for opposing the whole and this is one of the reasons. Mr. Speaker, I was going to submit that in maintaining the Town Improvement Trust, Lahore, we are required to maintain a white elephant. I want to know and the House is entitled to know—

**Mir Maqbool Mahmood :** On a point of order. The point which the honourable member could have raised on that specific item cannot be

raised with regard to the total grant unless that point was common to the whole grant. There being a separate item with regard to the Town Improvement Trust to which the honourable member could have tabled his amendment if he so wished, and he not having done so, is not in order in now raising a discussion on the specific item over the total grant.

**Diwan Chaman Lall :** Under what rule, under what procedure, under what authority is the honourable member raising this novel point of order ? If on the third reading of a particular measure one can get up and oppose the measure one is competent in giving every reason that one has in opposing that particular measure and I think this is that stage as far as this particular demand is concerned and if my honourable friend behind me wishes to oppose this particular demand he has every justification and right on his side, in opposing it, and to give all the grounds that he may be able to urge in this House to convince other honourable members why this demand should be opposed.

**Sardar Hari Singh :** I must submit that the Lahore Improvement Trust is a white elephant. I wish to ask some pertinent questions of the Minister in charge of the department and these questions are : How many times the Improvement Trust has held its meetings ? How many members were present at those meetings and what was the business that was transacted in all those meetings ? If he takes the House into his confidence on these points I will be grateful to him. Mr. Speaker, I draw your attention to the very acute controversy that has been raging round the Lahore Improvement Trust in provincial newspapers including the Anglo-Indian paper. The Lahore Improvement Trust has been a laughing stock of the whole province for its inefficiency and for its having done nothing so far to improve the city of Lahore. I draw your attention to a particular statement in the note under this demand.

**Mr. Speaker :** The Honourable member is aware, I presume, that a resolution on this subject is going to be moved. A notice has been given by the Government of a resolution for advancing loan and giving grant to the Lahore municipal authority. As that matter is coming up, it may not be discussed now.

**Lala Bhim Sen Sachar :** That is an amount which is being advanced to the Municipality of Lahore and not to the Improvement Trust.

**Mr. Speaker :** It is for the Improvement Trust as well.

**Sardar Hari Singh :** Mr. Speaker, may I finish my observation on the point by drawing your attention to a particular sentence ? It is said :

“ Further it is required to pay during this year a contribution to the extent of Rs. 2,010 per mensem, instead of Rs. 1,307 per mensem paid last year, towards the pay, leave, pension and passage contribution of its Chairman, on account of a rate of pay being drawn by the present incumbent of the post which is higher than that drawn by his predecessor.”

I have only to observe the manner in which public money is being wasted in payment of increased pay, allowances, etc., to imported officials, who are doing nothing to improve the town.

**Mr. Speaker :** The honourable member has made a few remarks upon one of the items of the demand. When he started his speech, I pointed out that it would not be in order to discuss an item in discussing the total demand. However, he has resumed his seat after discussing only one item, that is to say, the grant of Rs. 14,000 to the Improvement Trust. In this connection I may read a sentence from May's Parliamentary Practice. It runs :—

“ —, nor can a proposal be made for the reduction of the whole grant, for the purpose of renewing discussion upon an item on which a question has been proposed, or debate arisen, or upon any item previous thereto — ”

In my opinion debate on a total demand should not be raised for discussing only a particular item or items, which might have been discussed separately. The discussion of a whole demand must go to the root of all items of that demand and not only some of those items.

**Dr. Gopi Chand Bhargava :** May I draw your attention to one thing. When we have discussed, disposed of and rejected an amendment on the first item suppose a member wants to oppose the whole demand, can he discuss that item, amendment to which has been rejected by the House ?

**Mr. Speaker :** This is my reason for the view that if the whole demand is to be opposed, the arguments must cover every item and not any individual item or items.

**Dr. Gopi Chand Bhargava :** My point is quite different. Shall we be within our rights to discuss the very item for which a notice of amendment has been given and which has been rejected by the House ?

**Mr. Speaker :** No. When you are discussing the whole grant, your arguments must, if you are opposed to it, relate not only to any particular item but to all items of that grant.

**Dr. Gopi Chand Bhargava :** May I know one thing more ? Supposing a member who opposes this demand, were to say that he has not much to say against item 3, shall he be in order ?

**Mr. Speaker :** He shall not be given an opportunity to discuss item 3 when the whole demand is under discussion.

**Dr. Gopi Chand Bhargava :** Supposing item 1 has been discussed and disposed of, and I stand up and criticise item 2 or item 3 and say that they are objectionable, therefore, I oppose the whole demand. Shall I be justified ?

**Mr. Speaker :** No.

**Diwan Chaman Lall :** If a motion for reduction of every item in the demand is to be given notice of, it would involve a series of unnecessary amendments to such an extent that the department will be snowed under.

**Mr. Speaker :** Question is —

That a supplementary sum not exceeding Rs. 24,740 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Public Health.

*The motion was carried.*

## VETERINARY.

**Minister for Finance** (The Honourable Mr. Manohar Lal): I beg to move—

That a supplementary sum not exceeding Rs. 11,500 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Veterinary.

*The motion was carried.*

## CAPITAL OUTLAY ON ELECTRIC SCHEMES.

**Minister for Finance** (The Honourable Mr. Manohar Lal): I beg to move—

That a supplementary sum not exceeding Rs. 1,06,763 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1938, in respect of Capital Outlay on Electric Schemes—Hydro-Electric Scheme (other than Establishment).

*The motion was carried.*

## MISCELLANEOUS.

**Minister for Finance** (The Honourable Mr. Manohar Lal): I beg to move—

That a supplementary sum not exceeding Rs. 89,350 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Miscellaneous.

**Mr. Speaker** : Motion moved—

That a supplementary sum not exceeding Rs. 89,350 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Miscellaneous.

*Questionnaire issued by the Resources and Retrenchment Committee.*

**Sardar Hari Singh** (Kangra and Northern Hoshiarpur, Sikh, Rural): I move—

That the item of Rs. 21,900 on account of Resources and Retrenchment Committee be reduced by Rs. 100.

The object of this cut motion is, as I have mentioned, to criticise certain items of the questionnaire issued by the Resources and Retrenchment Committee. My remarks will be only illustrative and not exhaustive. In this connection I may draw your attention to item (2) of the questionnaire which says :—

“ Would you advocate as alternative to the present system of charging for water, the sale of water by volume with a view to increasing the revenues of the State.”

This item of the questionnaire has caused grave apprehension in the minds of the peasantry of the Punjab living in colonies who are already overburdened with canal rates, water rates and other rates. They are already being ground down with crushing rates, with land revenue and with indebtedness and they are hardly able to bear increased rates of water which may possibly be raised as a result of the recommendation of the committee set up by the Government. This item should never have occurred to the committee because the Government knows it full well that there is already going on a great agitation, a great ferment in the colonies against the present water rates and canal rates.

[S. Hari Singh.]

Then, Sir, item No. 9 of the questionnaire relates to the excise policy of the Government. It runs like this :—

“The general excise policy of the Punjab Government in relation to liquors is that of the Government of India, and has been stated as follows :—

‘The Government have no desire to interfere with the habits of those who use alcohol in moderation; this is regarded by them as outside the duty of the Government.’”

Sir, in other advanced provinces like Madras, United Provinces and even in the Frontier the Government is adopting prohibition as an integral part of their policy. But here the Punjab Government appoints a committee to suggest sources of revenue and that committee is charged with the duty of making recommendation to get more money out of the excise duty. The Punjab Government ties itself down to the policy laid down by the Government of India.

Further on, item No. 20 of the questionnaire says,

“Would you suggest any change in the rates of motor vehicles taxation with a view to increasing receipts?”

This item ought never to have been included.

**Minister for Finance :** A point of order, Sir. The questionnaire issued by the Resources and Retrenchment Committee does not state in any way whatever the policy of the Punjab Government. This questionnaire consists of a series of questions on the basis of which evidence will be taken, witnesses will be examined and conclusions reached by the committee and thereafter they will be submitted to the Punjab Government. It is in no way a statement of policy of the Punjab Government.

**Sardar Hari Singh :** Mr. Speaker, I was going to submit that the committee has been appointed by the Government and the questionnaire of the committee has been drawn up with the approval of the Punjab Government.

**Minister for Finance :** No approval whatsoever of the Punjab Government. I can straightaway deny that.

**Mr. Speaker :** It is denied on the floor of this House. Honourable members ought to accept the denial.

**Minister for Finance :** Punjab Government has never seen it.

**Sardar Hari Singh :** It was item No. 20 that was the immediate cause of strike by the lorry drivers on the 1st January.

**Mr. Speaker :** May be.

**Sardar Hari Singh :** This should be excluded from the questionnaire. With these few observations which are only illustrative of the mentality of the Punjab Government, I resume my seat.

**Mr. Speaker :** Question is—

That the item of Rs. 21,000 on account of Resources and Retrenchment Committee be reduced by Rs. 100.

*The motion was lost.*

*Working of the Unemployment Committee.*

**Khawaja Ghulam Hussain** (Multan Division Towns, Muhammadan, Urban) : I beg to move—

That the item of Rs. 22,100, on account of Punjab Unemployment Committee be omitted.

**Mr. Speaker** : I may point out that when notice is given for the omission of a total demand or item, the object with which the omission is proposed, need not be given, because when you are opposing the whole demand or item, you are not criticising any policy of the Government. Generally, your object is not only criticism but an economic or financial proposal to omit the demand or item.

**Khawaja Ghulam Hussain** : Mr. Speaker, the Unemployment Committee was constituted with the ostensible purpose of collecting complete data and then to find out effective measures for removing unemployment in the country. The committee has been in existence for the last several months and up till now it has not done anything tangible to justify its existence. The collection of data has been left entirely to the issuing of a Questionnaire which has been sent to a number of individuals but so far as I understand not to any important associations. It is true that the committee has found employment for a number of M. L. As. but unfortunately it has not gone ahead with the object with which it came into existence. In the first place important associations and public bodies have not been taken into confidence and my submission is that without coming into contact with such associations it is impossible for the committee to do anything useful for the country. Secondly, the best way of finding out the exact number of unemployed in the country and of discovering effective remedies is to hold unemployment weeks in villages and towns. This method has not been resorted to with the result that people are not evincing any practical interest in the committee and now we are asked that the term of the committee should be extended and money provided for it. I submit that so far the committee has not done any useful work and there is no prospect of its doing anything and its continuation is a burden on the exchequer which is not justifiable on any ground whatsoever. I would, therefore, say that on financial and economic grounds I would oppose this demand. With these few words I beg to move my cut.

**Mr. Speaker** : The question is—

That the item of Rs. 22,100 on account of Punjab Unemployment Committee be omitted.

*The motion was lost.*

*Terms of reference of Land Revenue Enquiry Committee.*

**Sardar Hari Singh** (Kangra and Northern Hoshiarpur, Sikh, Rural) : I beg to move—

That the item of Rs. 15,100 on account of Land Revenue Committee be reduced by Rs. 100.

May I, Sir, proceed to read out the terms of reference of the committee without interruption? On this subject I have to draw your attention to an important resolution passed by the last Punjab Legislative Council

[S. Hari Singh.]

(*Punjab Debates*, Volume XXVIII, page 101) and perhaps, Mr. Speaker, you were then in the chair. A resolution was moved by Mian Nurullah to the effect that

“This Council recommends to the Government to appoint a Committee composed of officials and non-officials to fix the meaning of net assets.”

The question of net assets was raised on the floor of the Punjab Legislative Council. Prominent Unionists who are prominent members of the ministerial party even today, took part in that debate. The question was discussed threadbare and the resolution was passed with a majority of votes, i.e., 38 ayes against 25 noes and those 38 ayes included such prominent members of the ministerial party as our friends Khan Bahadur Mian Ahmad Yar Khan Daulatana, Sardar Gurbachan Singh, Professor William Roberts, Rai Bahadur Lala Mukand Lal Puri, Sardar Sahib Sardar Ujjal Singh and others. They are still members of this House and I put it to them, how would they like the idea of that resolution now? The committee appointed by the government known as Land Revenue Enquiry Committee should have been entrusted with the task of fixing the meaning of ‘real net assets’. The resolution passed by the Council required the Government to appoint a committee to fix the meaning of ‘net assets’. Then there were a series of articles from the pen of a prominent and famous economist of the Punjab, Professor Brij Narain, in which he criticised the present mode of assessment and in which he attacked the present ‘net assets’ definition as defined by the Government on the basis of which the present land revenue is assessed. Under the present system of assessment the net assets of a peasant are not his real net assets: they are not his real income: they are not his real saving. Under the present system of calculation the wages of the peasant are not included. At present depreciation on his implements are not included and sundry other items of expenditure are not included. In pursuance of the resolution passed by the Council and with due regard to the criticism levelled against the present system of assessment, the first duty of the Land Revenue Committee, presided over by the Financial Commissioner, ought to have been to enquire what the real net assets of peasants are. Now there is an important omission from the terms of reference to the committee. Until the committee tries to fix the real net assets of the peasantry, its recommendations are not going to be of any value to the peasantry of the Punjab. That ought to be the first duty of the committee which has not been entrusted to it at all. That is an important omission in the terms of reference to the committee.

**Mr. Speaker:** Demand under consideration, motion moved is—

“That the item of Rs. 15,100 on account of Land Revenue Committee be reduced by Rs. 100.”

**Minister for Revenue** (Honourable Dr. Sir Sundar Singh Majithia): Perhaps item (b) of the terms of reference to the committee has been missed by my friend the mover of the cut motion. That clearly provides for an enquiry into the net assets. I may inform my friend that the committee is not debarred to look into that question. They can, if they so like, go

into the matter. It is for the people to put forward their side of the question from their point of view before the commission.

**Sardar Partab Singh** (Amritsar South, Sikh, Rural) (*Punjabi*): Sir, I may point out to you at the very outset that the out under discussion is most important because it directly relates to the question of net assets. I would respectfully submit that the definition of net assets accepted by the present government is erroneous while one suggested by the taxation committee of 1925 was quite correct. Experience shows that it was more useful for zamindars than the one accepted by the Government and on the basis of which revenue is assessed. If the present government had accepted the definition of the taxation committee regarding net assets, much of the miseries of zamindars would have been removed. I see the Honourable Minister for revenue is not attentive, I may tell him that the submissions that I am going to make are important and as such they should not be ignored. It is quite clear that the main source of the Government income is land revenue. I may say with all the force at my command that the settlement officers do not at all take into consideration the real facts and figures while determining the net assets. They arbitrarily decide that one-fourth of the net assets should be charged as land revenue. I know it as a matter of fact that the determination of net assets is solely based on the reports of the settlement officers. While calculating the net assets the Government fails to ascertain the real saving of a zamindar. For instance, the cost of labour that is put in by a zamindar from sun rise to sun set and the labour put in by his wife also is not at all taken into consideration. I may further submit for the information of the House that the income of a zamindar bears no proportion to his expenditure. If the Government charge one-fourth of the net assets we do not mind but our main objection is that the net assets are not ascertained fairly and precisely by the Government.

So far as the leasing out of land and the method of calculating net assets are concerned the economic rent system of England is being followed in the Punjab. For instance, a land lord leases out his land to another man on condition that the lessee would pay him at the rate of Rs. 5 per bigha. The amount which the lessee undertakes to pay to the landlord is considered to be his net profit and that amount is taken to be the net asset. But the fact is that amount includes his income and is not his real profit. In England that may be considered to be a share of the profit but in India it cannot be so, because due to keen competition not on the basis of profit or loss but on account of high pressure of our population on agriculture the tenant is forced to offer a large amount to the landlord who gives out land on lease to him. The net-assets should be arrived at after deducting the expenditure from the income and not on the basis of what the tenants pay. In villages almost every land owner cultivates his own land, and their income and expenditure should be taken into account. But the tenants in a way are compelled by circumstances to pay more than they can actually afford to pay in order to get land. The poor peasants cannot afford to pay their rent out of the sale proceeds of the land and so they incur a debt in order to pay it. While repaying the debts they pay interest too; in this way they go on multiplying their debts every year.

[S. Partab Singh.]

Because there is no other means of livelihood available to them they do not give up the profession of taking land on lease.

If the conclusions arrived at by the Punjab Taxation Committee, which was formed a few years ago, had been taken into consideration by the present Government, the net assets might have assumed a proper form.

In my opinion even the smallest items of a zamindar's expenditure should be deducted from his income. I would like to point out one thing more for the information of the House and that is, that at the time of calculating the income of a peasant the price of the remains of the dead cattle is also taken into consideration by the settlement officers. When the Government officers, while calculating the income of a zamindar taken into consideration even such small things, I do not see any reason why the labour of the poor peasant and his wife is not excluded from his income. To determine net assets on basis of economic rent referred to above is fundamentally wrong.

I have come in contact with the settlement officers myself and I am fully aware of the fact that whenever they are requested to determine net assets, after excluding the cost of labour, they refuse to do so by saying that they have instructions to the effect that only the rent of the land should be taken into account as the basis of net profits. To assess land revenue on the basis of the present definition of net assets tantamounts to crushing the zamindar. He is broke just on account of that. Ever since the Government started assessing land revenue on the basis of net assets, it seems that they have not understood the true significance of the term. If the peasant takes over a piece of land comprising one bigha on the condition that he will provide the owner of the land with five maunds of grain and the stipulated amount of the same cannot be produced from the soil, the poor peasant has to borrow to redeem his pledge. He is forced to till the leased lands and make a living out of it. But if there is no surplus, how is the poor man to live? He cannot enlist himself in the army, nor can he join the police force which is already over-staffed. We have had the misfortune to be in the Punjab and it is a pity that our Government ever since it has taken over the reins of administration has not been able to diagnose what ails the poor peasants. It has done nothing to relieve them of their heavy burden of debt.

In order to ascertain the net assets it is essential to resort to the definition which was arrived at by the taxation committee some years ago. The Government has not instructed the settlement officers to make deductions for the labour put in by the peasant in order to determine the net-assets. Unless this is done, any calculation of net assets will be a misnomer. So long as the true definition of net assets is not arrived at, the ills of the peasantry cannot be cured. It is an acid test of the professions of the honourable members of the Unionist Party, the honourable members from Rohtak, and the members of the Khalsa Nationalist Party, who are never tired of expressing their sympathy for the poor zamindars. The method adopted by the Government for calculating the net assets is erroneous because it is ignoring some of the salient factors of the case. This miscalculation is the true cause of our poverty. We cannot make any progress unless the true definition of net assets is put into practice. So long as the

labour put in by the peasant, his wife and his children is not taken into consideration, the present woeful plight of the peasant cannot be remedied. I would appeal to the Honourable Minister for Development who first brought out the Jat Gazette (*Honourable Chaudhri Sir Chhotu Ram*: This question is not before the House) that if he complies with our request, the peasantry of the province will have cause to bless his name.

**Mir Maqbool Mahmood** (Parliamentary Secretary) { Sir, I must say that I regard the last speech on this motion and that of the honourable mover of the amendment as very unfortunate indeed. I think the time has come when people sitting opposite must look at the problems before the House, particularly important questions involving the happiness of the millions of this province, with the outlook of an alternative Government. My submission is that on the matter which we are debating today it was the minimum of fairness for the opposition to pay an open compliment to the Government for the courage, for the statesmanship and the sympathy which they had shown in appointing the Land Revenue Committee. (1)

- A great deal has been said about net assets. I would concede that that is a point which requires some clarification and more consideration. In fact you may remember that in the Simla session I was one of those who invited the attention of the Honourable Minister to certain questions relating to net assets, and I am sure that the House will also recall his sympathetic reply to that question. I need not waste the time of the House on that point. What I want to submit is that the Government have gone very much further than merely examining 'net assets' and they have appointed this committee with terms of reference which are very unrestricted indeed, giving very wide powers to give relief to the small holder, without any undue limitation or restriction. The Land Revenue Committee have been asked to suggest a scheme which gives relief to the small peasant proprietor. I submit that when on a matter of this fundamental importance Government have taken such a step, it is only fair that we should give them the support that they deserve.

Certain reference was made to the pending settlement in Amritsar district. Can my honourable friends who have spoken on this motion tell me whether there has been a single instance in the history of land revenue assessment in the Punjab or elsewhere where Government has declared even during the pendency of re-assessment that for five years there shall not be any enhancement? I am sure that that must be taken as evidence of good faith shown by Government. (*Interruption*). The enhancement is for the present stopped for five years, and in the meantime it is hoped that the report of the Land Revenue Committee will be published and it is sought that the small zamindars of my district should not be denied benefit of the committee's proposals. If my honourable friend opposite plays cricket, I hope he will see that we are seeking to evolve a system under which these defects will not exist, particularly for the small holders and therefore I submit that in fairness to the small holder, in fairness to the province, the honourable members will draw the attention of the zamindars to the main issues before this committee. Let me declare that this committee is not a mere eye-wash committee. This committee is entrusted in all seriousness with an important question not only of net assets, but the all-comprehensive (2)

[Mir Maqbool Mahmood.]

question of land revenue. I submit that it is a matter for all true friends of the zamindars who are not satisfied with moving adjournment motions but who want to serve their country to create public opinion in their constituencies to represent matters before this committee. Here is an opportunity to serve the province. Let us come out with considered suggestions and make this committee a success. I would give a challenge that in the existing circumstances no one could have drafted terms of reference of this committee wider than those drafted by the Government. (A voice: What about the definition of 'net assets'?) My honourable friend is again harping on the definition of net assets. I go a step further and say, net assets or no assets, we are determined to do something tangible for the small holder. Let me assure him that I am not one of those who in the interest of service to my constituency would yield place to any one; and I and others on my side of the House (the Revenue Minister included), will not continue here if we fail in our duty to the zamindars and to the poor peasants of this province. We are not content with manuscript sympathies or literary resolutions, we want tangible results, but when you are dealing with the complex land revenue problem you cannot by a magic wand settle the whole question. It is urgent. And I claim that nobody on that side of the House can claim the sincerity and the devotion and the real sympathy for the zamindars as the Government (*Interruption*). I am sure my honourable friend opposite knows that I yield to none in helping the poorer classes of the peasantry. If the definition of 'net assets' leaves some-

6 P.M.

thing to be desired, I am one of those who want to make it perfectly clear. But let us not confuse issues. Let us not by pointing out the bugbear of "net assets", make the public get away from the importance of this committee. With these words I would appeal through you once again to my friends opposite in all sincerity, to co-operate with this committee, to come forward with evidence, to put up material which would bring out the difficulties which they point out. The Government has appointed a committee with terms of reference even wider than what my friends themselves demand; let them in fairness come forward and compliment the Government for it and not be satisfied by merely making speeches which would do no good either to the Government or to the Opposition or to this House or to the province.

**Lala Bhagat Ram Choda** (Jullundur, General, Rural) (*Urdu*): Sir, I will try to finish my speech within two minutes. In this connection I am reminded of a Punjabi proverb which runs as follows:—

اڑ بھائی سجنو گھر بار تھارا | اندر جگہ تنگ ہے باہر کمر و گذارہ  
پیسہ کھولو گانٹھ سے رل مل کریں گذارہ

It aptly applies to our Government. The present Government is never tired of proclaiming itself to be a zamindar government. I also admit that it is a zamindar government and it is out to safeguard the interests of zamindars, i.e., the big land-owners. But what I deplore is that it does not safeguard the interests of the poor peasants, i.e., the tillers of the soil. Whenever the question of ameliorating the condition of the poor cultivators comes

before the Government, they assert that they have done all that was in their power to achieve that object. But on close examination it becomes clear that they have tried to please only the big land owners and they have left the poor peasants in lurch. In vain do the poor classes cry for help and appeal for relief to the Government which, in fact, is entirely composed of Nawabs, Khan Bahadurs and the capitalists who have no sympathy with the poor cultivators to whom agriculture is no longer a paying concern. They stick to it because there is no other means of livelihood available to them. They do not get services and cannot take to trade for want of capital. So they are constrained to follow the old profession of their forefathers just as the son of a grass-cutter is bound to adopt the profession of his father.

The Government says that it receives only one-fourth of the net assets. I offer better terms to it. I should leave that one-fourth to the peasant and take over all the rest, if any. The zamindars being very loyal to the Government regularly pay the land revenue, even if they have to part with their ornaments. From this the Government concludes that they are well off. Under these circumstances it is essential that the Government should adopt a more reasonable attitude in determining the net assets which should exclude the cost of cultivation. With these words I support the cut motion moved by my honourable friend Sardar Hari Singh.

**Chaudhri Jalal-ud-Din Amber** (West Central Punjab, Indian Christians) (*Urdu*): Sir, the speeches of the honourable members opposite have reminded me of a Ghalib's verse which runs as follows:—

گر مہی سہی کلام میں لیکن نہ اس قدر  
 کہ جس سے بات اُس نے شکلیت ضرور کی  
 جو بات کہ خدا کی قسم لا جواب کی

and also of another couplet:

Sir, the cut now before the House has been intended to discuss the working of the Land Revenue Committee recently appointed by the Government to go into the question of land revenue. The committee according to some of my friends has failed to carry out the purpose for which it was appointed or in other words the terms of its reference by not including definition of net assets have failed to satisfy the fantastic hopes of theirs, and they are therefore out to oppose it. But let me make the whole matter clear. There was a long standing complaint that the land revenue is not being charged on sound principles and in consequence, the poor zamindars are required to pay more than what is justified. Various suggestions have been put forward, from time to time to improve the land revenue system now in vogue. For instance, proposals were made to the effect that land revenue should be charged on the principles which underlie the system of income-tax, or small holders of land, say those who own 5 ghumaons or less should be exempted from the payment of land revenue or that the big land-owners should be required to pay more than what they are paying at present. Now, it was in order to examine all these matters and other questions that may arise in that connection that the Government has appointed this committee. Instead of thanking the Government for this right step in the right direction, the Opposition has come forward to condemn it.

[Ch. Jalal-ud-Din Amber.]

I may be allowed to submit that the question of improving the existing land revenue system is not solved by the mere consideration of net assets of the zamindars but it requires the extensive study of the whole situation. It is creditable for the Government that they have taken a more comprehensive view of the situation than the Opposition appears to have taken. If it is decided in the end that the present system of the assessment is to be followed, then it would be incumbent on the committee to define "net assets". The honourable members opposite would do well if instead of bringing up such motions they would in reply to questionnaire give a detailed statement in regard to the 'net assets'.

Besides, I wonder how the members of the Opposition have thought it advisable to oppose this committee when, as a matter of fact, there is no reason for doing so and when the situation is quite hopeful. I, for one, cannot approve of their crying before the milk is spilt. But on the contrary, I think that we should be grateful to the committee appointed by the government which have issued a very comprehensive questionnaire on the subject. But I am very sorry to find that very few people have taken any interest in it. When such is the position, I think it is not fair on the part of the Opposition to criticise the Government unnecessarily.

Let me now come to another point. Some of my honourable friends remarked a little while ago that the present Government do not safeguard the interests of the small holders and direct their attention wholly to the interests of the big land-owners. I may be permitted to say that the questionnaire issued by the committee includes suggestions, on the one hand, to exempt the small-holders from the payment of land revenue and on the other, to impose a higher rate of land revenue on the big zamindars. This gives a direct lie to the allegations made by those who appear to think that the present Government is out to benefit the big land-owners only.

In the end I would appeal to the honourable members of the Opposition to give the committee a fair trial. The only way of helping the zamindars at this stage would be to co-operate with this committee and give detailed replies to the questionnaire it has issued. In this way we shall acquaint the Government with all our complaints, and when the committee arrives at definite conclusions, we will be in a position to see how far it has gone to meet our expectations. For the present it would be the best policy to let it calmly consider all the relevant points raised by the zamindars. With these words, I beg to oppose the cut which is under consideration.

**Nawab Sir Malik Muhammad Hayat Khan Noon** (North Punjab Landholders): Sir, I would request the Honourable Minister for Revenue to kindly tell us, for the benefit of the members of the House, whether in regard to the net assets, the Government have prescribed any rules for the guidance of the committee and their hands have been tightened down or the Revenue Committee shall have the power to discuss the question of "net assets" and whether any instructions have been issued by the Government as to how this committee should work out the net assets.

**Minister for Revenue** (The Honourable Dr. Sir Sundar Singh Majithia): Sir, with your permission, I have only to say that the very first thing that I said was that it has been included in item 2. Government

has given no instructions to the committee to confine themselves to any fixed rules or anything of this nature. It is in their power to enquire into this matter of net assets. Another thing I may point out is that the committee has got very wide field of enquiry which they have to make. Besides this, Mr. Darling has been moving about in districts and meeting zamindars. Big meetings have been held to discuss this question with them.

**Mr. Speaker :** The question is—

That the item of Rs. 15,100 on account of Land Revenue Committee be reduced by Rs. 100.

*The Assembly divided : Ayes 36 ; Noes 75.*

**AYES.**

Abdul Aziz, Mian.  
Ajit Singh, Sardar.  
Baldev Singh, Sardar.  
Bhagat Ram Choda, Lala.  
Bhagat Ram Sharma, Pandit.  
Bhim Sen Sachar, Lala.  
Chaman Lall, Diwan.  
Chanan Singh, Sardar.  
Duni Chand, Lala.  
Ghulam Hussain, Khawaja.  
Gopi Chand Bhargava, Dr.  
Hari Lal, Munshi.  
Hari Singh, Sardar.  
Harjab Singh, Sardar.  
Kabul Singh, Master.  
Kapoor Singh, Sardar.  
Kartar Singh, Chaudhri.  
Kartar Singh, Sardar.  
Kishan Singh, Sardar.

Lal Singh, Sardar.  
Muhammad Abdul Rahman Khan, Chaudhri.  
Muhammad Alam, Dr. Shaikh.  
Muhammad Hassan, Chaudhri.  
Muhammad Iftikhar-ud-Din, Mian.  
Mula Singh, Sardar.  
Muni Lal Kalia, Pandit.  
Partab Singh, Sardar.  
Prem Singh, Mahant.  
Raghubir Kaur, Shrinati.  
Ram Narain Virmani, Seth.  
Rur Singh, Sardar.  
Sampuran Singh, Sardar.  
Sant Ram Seth, Dr.  
Shri Ram Sharma, Pandit.  
Sohan Singh Josh, Sardar.  
Sudarshan, Lala.

**NOES.**

Abdul Hamid Khan, Sufi.  
Abdul Haye, The Honourable Mian.  
Abdul Rab, Mian.  
Afzalali Hasnie, Sayad.  
Ahmad Yar Khan Daulatana, Khan Bahadur Mian.  
Ahmad Yar Khan, Chaudhri.  
Ali Akbar, Chaudhri.  
Amjad Ali Shah, Sayad.  
Anant Ram, Chaudhri.,  
Ashiq Hussain, Captain.  
Badr-Mohy-ud-Din, Qadri, Mian.  
Balwant Singh, Sardar.  
Chhotu Ram, The Honourable Chaudhri Sir.  
Dasaundha Singh, Sardar.  
Faiz Muhammad, Shaikh.

Faqir Chand, Chaudhri.  
Faqir Hussain Khan, Chaudhri.  
Fateh Muhammad, Mian.  
Fazl Ali, Khan Bahadur Nawab Chaudhri.  
Fazl Karim Bakhsh, Mian.  
Few, Mr. E.  
Ghanzanfar Ali Khan, Raja.  
Ghulam Mohy-ud-Din, Maulvi.  
Ghulam Kadir Khan, Khan Bahadur.  
Girdhari Das, Mahant.  
Gopal Singh (American), Sardar.  
Gurbachan Singh, Sardar Sahib Sardar.  
Habib Ullah Khan, Malik.  
Hans Raj, Bhagat.

Indar Singh, Sardar.  
 Jagjit Singh Bedi, Tikka.  
 Jahan Ara Shah Nawaz, Mrs.  
 Jahangir Khan, Chaudhri.  
 Jalal-ud-Din Amber, Chaudhri.  
 Jugal Kishore, Chaudhri.  
 Karamat Ali, Shaikh.  
 Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major Malik.  
 Kishan Das, Seth.  
 Manohar Lal, The Honourable Mr.  
 Maqbool Mahmood, Mir.  
 Mubarik Ali Shah, Sayed.  
 Muhammaad Akram Khan, Khan Bahadur Raja.  
 Muhammad Ashraf, Chaudhri.  
 Muhammad Faiyaz Ali Khan, Nawabzada.  
 Muhammad Hassan Khan, Gurchani. Khan Bahadur Sardar.  
 Muhammad Hayat Khan Noon, Nawab Malik Sir.  
 Muhammad Hussain, Chaudhri.  
 Muhammad Nawaz Khan, Major Sardar.  
 Muhammad Saadat Ali Khan, Khan Sahib Khan.  
 Muhammad Sarfraz Khan, Chaudhri.  
 Muhammad Sarfraz Khan, Raja.

Mukand Lal Puri, Rai Bahadur Mr.  
 Mushtaq Ahmad Gurmani, Khan Bahadur Mian.  
 Muzaffar Khan, Khan Bahadur Nawab.  
 Narendra Nath, Diwan Bahadur Raja.  
 Nasir-ud-Din, Chaudhri.  
 Naunihal Singh Mann, Lieutenant Sardar.  
 Nawazish Ali Shah, Sayed.  
 Nur Ahmad Khan, Khan Sahib Mian.  
 Nurullah, Mian.  
 Pir Muhammad, Khan Sahib Chaudhri.  
 Riasat Ali, Khan Bahadur Chaudhri.  
 Ripudaman Singh, Thakur.  
 Roberts, Professor W.  
 Santokh Singh, Sardar Sahib Sardar.  
 Shahadat Khan, Khan Sahib Rai.  
 Shah Nawaz Khan, Nawab Khan.  
 Sham Lal, Rai Bahadur Chaudhri.  
 Singha, Mr. S. P.  
 Sita Ram, Lala.  
 Sundar Singh Majithia, The Honourable Dr. Sir.  
 Suraj Mal, Chaudhri.  
 Tara Singh, Sardar.  
 Tikka Ram, Chaudhri.  
 Ujjal Singh, Sardar Sahib Sardar.

**Mr. Speaker :** The question is—

That a supplementary sum not exceeding Rs. 89,350 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Miscellaneous.

*The motion was carried.*

*The following token demands were then put from the Chair and adopted:—*

That a token sum not exceeding Rs. 10 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Irrigation.

That a token sum not exceeding Rs. 10 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of General Administration.

That a token sum not exceeding Rs. 10 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Administration of Justice.

That a token sum not exceeding Rs. 10 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of Civil Works.

That a token sum not exceeding Rs. 10 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1938, in respect of charges on Public Works Department Hydro-Electric Establishment.

*The Assembly then adjourned till 2 P.M. on Tuesday, 18th January 1938.*

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# **PUNJAB LEGISLATIVE ASSEMBLY.**

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## **STARRED QUESTIONS AND ANSWERS.**

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**\*1933. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state—

- (a) whether the Special Official Receiver, Punjab, appointed by the High Court, Lahore, is also the Official Receiver in charge of the estate of the late Lala Harkishen Lal ; if so, what is his salary and whether he gets any commissions over and above his monthly salary ;
- (b) the amount of commissions, if any, paid to him on the sales of Lala Harkishen Lal's shares of Bharat Insurance Company ;
- (c) the amount of commissions, if any, paid to him on Lala Harkishen Lal's timber and other property, respectively ?

(*Vide* the answer to question No. \*1082.)

#### CORRUPTION DEPARTMENT.

**\*1084. Dr. Gopi Chand Bhargava :** Will the Honourable Premier please inform the House about the particulars regarding the constitution and powers of the department to check corruption recently constituted by the High Court ; and its jurisdiction and the provisions of the law under which it has been constituted ?

(*Vide* the answer to question No. \*1082.)

#### SPECIAL OFFICIAL RECEIVER.

**\*1085. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that the department to check corruption has been placed under the control of the Special Official Receiver, Punjab, who is entitled to receive and investigate all complaints against the judiciary, the Bar and Ministerial staff of the judicial courts in the province ;
- (b) the provisions of the law under which these powers have been conferred upon the said Official Receiver, Punjab ?

(*Vide* the answer to question No. \*1082.)

**\*1086. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state—

- (a) whether the Special Official Receiver, Punjab, representing a large number of estates in insolvency has to figure as a litigant party in the courts against which he is also entitled to receive and investigate corruption complaints as the head of the department to check corruption recently constituted by the High Court, Punjab ;
- (b) if so, whether the Government proposes to move the High Court, Punjab, to effect a separation of the two distinct functions now centred in one person ?

(*Vide* the answer to question No. \*1082.)

**\*1087. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether it is a fact that the Special Official Receiver, Punjab, has also been invested by the High Court, Punjab, with the power of inspecting the work of insolvency and guardian judges, if so, the provision of law under which he has been given these powers ?

(*Vide* the answer to question No. \*1082.)

**\*1088. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state the number of estates under guardianship of which the Special Official Receiver has been appointed a *mukhtar* with their specifications ?

(Vide the answer to question No. \*1082.)

**\*1089. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state—

(a) whether the Special Official Receiver representing as the *mukhtar* of the guardians of a large number of estates under his guardianship in the province, has to figure as a litigant party in judicial courts against which he is also entitled to receive and investigate corruption complaints as the head of the department to check corruption recently constituted by the High Court, Punjab ;

(b) whether in view of (a) above the Government intends to move the High Court, Punjab, to effect a separation of the two distinct functions now centred in one person ?

(Vide the answer to question No. \*1082.)

**\*1090. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state—

(a) whether the Special Official Receiver, Punjab, has simultaneously been appointed as an Official Receiver for the purposes of section 171-A of the Indian Companies Act, and as the person authorised to act as Official Liquidator in cases in which no official liquidator has been appointed with the authority to apply for the winding up of such companies ;

(b) if so, under what provisions of the law and whether the Government proposes to move the High Court to effect separation of the different functions now centred in one person ?

(Vide the answer to question No. \*1082.)

#### FRUIT PLANT NURSERIES.

**\*1091. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister of Development be pleased to state—

(a) the names of places where the Government has started fruit plant nurseries besides Lyallpur ;

(b) whether there is any proposal under the consideration of the Government to start nurseries in all the district agricultural farms ;

(c) the number of *malta*, *sangtra*, grafted mango, lemon and plum plants for which orders were placed with the Fruit Specialist and the number of these plants supplied ;

(d) the arrangements that are being made by the Government to meet the demand for such plants ?

**The Honourable Chaudhri Sir Chhotu Ram :** (a) Besides Lyallpur, fruit nurseries have been started at Montgomery, Karnal, Jullundur, Gurdaspur, Gujranwala, Sargodha, Muzaffargarh and Samli.

[Minister for Development.]

(b) Attention is invited to the reply given to part (a) of Assembly question No. \*317<sup>1</sup> put by the honourable member in the July Session of the Assembly.

(c) The number of fruit plants ordered and supplied from the fruit nursery at Lyallpur during the year 1936-37 was as follows :—

			Demands.	Supplied.
Maltas	..	..	82,946	2,916
Sangras	..	..	8,778	592
Grafted mangoes	..	..	4,029	716
Lemons	..	..	3,201	147
Plums	..	..	577	197
Total	..	..	49,531	4,568

Similar statistics in respect of the other nurseries are not available.

(d) The effect of increasing the scope of the Department's fruit nursery activities should be fully felt during the coming year when it is expected that at least 50,000 fruit plants will be available for sale to the public at cheap rates. In the following year it is hoped that these figures will be exceeded. Every effort is being made to increase the production of stock, and the supply of budwood and thereby to bud the maximum number of plants. In the last rainy season 32,079 plants were budded or grafted and it is hoped to bud and graft a much greater number in the spring of 1938. Fifty thousand mango seeds were also sown which are likely to give about 22,000 seedlings. One lakh and forty thousand *khatti* plants were transplanted and will be ready for budding within a year. Besides this, *khatti* seed sufficient to give 500,000 of *khatti* plants was also sown. It takes about three years from the time the seed of *khatta* is sown and before the budded plants are ready for sale.

**Lieutenant Sodhi Harnam Singh :** In what proportion were the plants supplied?

**Minister :** The honourable member can make calculations for himself. I have given the figures.

#### POLICE INQUIRY COMMITTEE AND CORRUPTION.

\*1092. **Lieutenant Sodhi Harnam Singh :** Will the Honourable Premier be pleased to state—

(a) the recommendations of the Police Inquiry Committee, 1925, which were accepted by the Government, Punjab, and acted upon ;

(b) the recommendations which were not accepted and acted upon ;

(c) the reasons why the recommendations mentioned in (b) of the said committee were not accepted and acted upon ;

(d) the action Government now propose to take in respect of these recommendations ?

**Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) :** It would be quite impossible in the reply to a question, to give a complete account of all the action that has been taken on the basis of the Committee's report. It will perhaps suffice to say that nearly all the principal recommendations have been acted upon, so far as financial considerations have allowed. If the honourable member is interested in any particular recommendation, I shall be glad to give him detailed information in regard to it.

**Lala Duni Chand :** Is it true that the complaints against the Police working are still too many ? Has the present Government taken any steps to improve the Police working ; and, if so, what steps have been taken ?

**Mr. Speaker :** That question does not arise from the answer given.

**Lala Duni Chand :** May I point out, Sir, that the question deals with the—?

**Mr. Speaker :** I have given my ruling.

**Lala Duni Chand :** May I draw your kind attention to the wording of the question which clearly gives rise to the supplementary question that I have put ? I accept your ruling but you may kindly read the question. Probably you have not read the question.

**Pandit Muni Lal Kalia :** Has any change been made according to the recommendation contained in paragraph 25 of that Report with regard to the necessity of an honest Police officer ?

**Parliamentary Secretary :** As already communicated to the honourable member, it is not possible just now to go into the recommendations or the action taken by the Government on those recommendations but I am prepared to supply the answer to the honourable member, if a notice is given.

**Pandit Muni Lal Kalia :** I am referring to a definite paragraph.

**Lieutenant Sodhi Harnam Singh :** Is it not a fact that most of the recommendations were not acted upon ?

**Parliamentary Secretary :** On the contrary most of the recommendations were accepted and acted upon by Government.

**Lieutenant Sodhi Harnam Singh :** May I know which were accepted and which were not accepted ?

**Parliamentary Secretary :** Is it at all possible in reply to a question put just now to give all that information to the honourable member that he requires ? If he gives notice, I will be only too glad to supply the information.

**Pandit Muni Lal Kalia :** Is the Government prepared to review or reconsider the recommendations, in the light of the constitutional changes that are in operation in the Punjab since 1987, with regard to paragraphs 24, 26 and 27 of that Report dealing with bribery and corruption.

**Parliamentary Secretary :** If my honourable friend will give me notice, I will certainly give a detailed reply to that question.

**Pandit Muni Lal Kalia :** This question relates to a police enquiry as held in the year 1925. Is any fresh notice required when the question relates to that very enquiry ?

The question as worded in the name of Lieutenant Sodhi Harnam Singh is to the following effect :—

- “(a) the recommendations of the Police Inquiry Committee, 1925, which were accepted by the Government, Punjab, and acted upon ;  
 b) the recommendations which were not accepted and acted upon ;  
 (c) the reasons why the recommendations mentioned in (b) of the said committee were not accepted and acted upon ;  
 (d) the action Government now propose to take in respect of these recommendations ?”

My submission is that all the four portions of question No. 1092 relate to the Police Enquiry Committee, 1925, and my supplementary questions do not go out of the province of that question and, therefore, the answer to these should have been ready and in possession of the Parliamentary Secretary.

**Parliamentary Secretary :** As I have already stated the Inspector-General of Police took considerable pains to prepare the whole statement regarding the action taken by the Government on the recommendations of the 1925 Committee's Report. It is impossible in reply to a question to furnish all the information required but I will be only too glad to give any particular information that the honourable member requires if he gives me notice. (*A voice : question*).

**Lala Duni Chand :** Did the recommendations of the 1925 Committee deal with the question of the abolition of corruption; and, if so, has the present Government taken any particular step to remove corruption amongst the police ?

**Mr. Speaker :** Is not this question covered by the answer already given ?

**Lieutenant Sodhi Harnam Singh :** Has a board been appointed to put down corruption ?

**Parliamentary Secretary :** I have already stated that it is impossible for me to read out the whole report and the action taken upon it. I have already requested the honourable member to give me certain particular points and I will furnish the information required.

**Lieutenant Sodhi Harnam Singh :** I have given a particular point whether any board was recommended to be appointed.

**Parliamentary Secretary :** If the honourable member gives his notice, I will communicate the reply to him.

**Pandit Muni Lal Kalia :** We fail to understand for what purpose a notice is required. The report of the Police Enquiry Committee is the only document which is depended upon.

**Tikka Jagjit Singh Bedi :** The last Retrenchment Committee recommended the abolition of the provincial additional police. Was that recommendation accepted ?

**Parliamentary Secretary :** The original question does not relate to any retrenchment committee, but to the Police Enquiry Committee of 1925.

### LAND REVENUE IN MONTGOMERY DISTRICT.

**\*1093. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the amount of land revenue which is being realized for the *kharif* crops in the Montgomery district according to the sliding scales ;
- (b) the area in Montgomery tahsil under *desi* cotton, American cotton and long staple American cotton this year ;
- (c) the average rates of land revenue charged on *desi* cotton, American cotton and long staple American cotton this year in Montgomery ;
- (d) the maximum land revenue rates for *desi* cotton, American cotton and long staple American cotton according to the sliding scales ;
- (e) will the Government be pleased to place a copy of the last assessment statement of the land revenue in Montgomery tahsil, according to the sliding scale showing increases and decreases under it ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Rs. 11,81,621

(b) *Desi* cotton—

					Acre.
(i) Matured	..	..	..	..	43,777
(ii) Failed	..	..	..	..	1,483

American cotton—

(i) Matured	..	..	..	..	102,720
(ii) Failed	..	..	..	..	2,964

Figures of the area under long staple American cotton are not separately available.

(c), (d) and (e) The land revenue in the Montgomery district is assessed according to the classification of soils and not by crops. The sanctioned land revenue rates are subject to special remissions under the sliding scale system. The percentages of reduction allowed during the last few years were :—

				Per cent.
Rabi 1934	..	..	..	30
1934-35	..	..	..	40
1935-36	..	..	..	20
1936-37	..	..	..	20
1937-38	..	..	..	15

**Lieutenant Sodhi Harnam Singh :** How do the Government justify the 15 per cent. remission this year ?

**Minister :** On the basis of the prices of commodities.

**PUNITIVE POLICE POST AT VILLAGE MUDKE IN FERROZPORE DISTRICT :**

**\*1094. Lieutenant Sodhi Harnam Singh :** Will the Honourable Premier be pleased to state—

- (a) the estimated costs of the punitive police post quartered at Mudke in district Ferozepore ;
- (b) the actual costs of maintaining the said punitive police post ;
- (c) the amount of the costs of the same recovered from the inhabitants of the said village ;
- (d) the amount realised by selling the horses, etc., after the said punitive police was removed ; and whether any money was paid back to the inhabitants of the said village out of the unspent balance ?

**Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) :** (a) Rs. 20,470-13-0.

(b) As explained in replies to other similar questions at the last session of the Assembly, it is never possible to give the "actual cost" of a body of additional police, as it is not practicable to calculate with accuracy, such charges as those due on account of superintendence, the cost of training the men employed, the armament charges of the force, and interest charges during the period of recovery. Excluding these charges the expenditure amounted to Rs. 19,385-0-8.

(c) Rs. 16,500-11-6.

(d) Rs. 830-14-0, which will be adjusted against the outstanding balance.

**Pandit Muni Lal Kalia :** Do Government propose to return the money in excess which has been realised by the sale of horses and other things ?

**Parliamentary Secretary :** I have already stated that this amount of Rs. 830-14-0 realised will be adjusted against outstanding balance.

**Lieutenant Sodhi Harnam Singh :** How many horses were sold and what amount was obtained by that sale ?

**Parliamentary Secretary :** The amount by selling these horses, as I have already stated, is Rs. 830-14-0. I am not aware of the exact number sold.

**Lieutenant Sodhi Harnam Singh :** Was that the price for 12 horses ?

**Parliamentary Secretary :** I am sorry I cannot say what the exact number was.

**Pandit Muni Lal Kalia :** With reference to answer to part (b) may I understand that the Police Department is not keeping any regular accounts with regard to the maintenance of the force during the time it was posted there ?

**Parliamentary Secretary :** My answer is very comprehensive and I have nothing to add to what I have already stated.

**Lieutenant Sodhi Harnam Singh :** Have not accounts been kept regularly ?

**Parliamentary Secretary :** The accounts are regularly kept and if the honourable member had followed my reply he would not have raised this question.

TRAVELLING ALLOWANCES AND DAILY ALLOWANCES.

**\*1095. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister of Finance be pleased to state—

- (a) the amount of travelling allowance and daily allowances paid to the officers of all ranks in all Government departments in the year 1936-37, on account of tours and transfers separately ;
- (b) the amount of travelling allowance and daily allowances paid to them from the 1st April, 1937, to the 30th September, 1937, on account of tours and transfers separately ?

**The Hon'ble Mr. Manohar Lal :** (a) Rs. 47,12,107.

(b) Rs. 23,90,899.

Separate figures for tours and transfers are not available and this compilation will entail time and labour incommensurate with the results.

**Lieutenant Sodhi Harnam Singh :** Has Government any idea to revise the allowances and the travelling allowances.

**Minister :** I think I said in reply to a similar question a few days ago that the question of travelling allowances, etc., was under consideration of the Retrenchment Committee, and when the committee has considered the matter and reported, the Government will take the matter into consideration.

**Pandit Muni Lal Kalia :** May I take it that by its failure in estimating the amount in answer to part (b) of the question the Government has failed in its primary duty, namely, the preparation of its estimates for the next budget ?

**Mr. Speaker :** That is an argument.

**Sardar Kapur Singh :** Are travelling allowances of the Parliamentary Secretaries also included in part (b) ?

**Minister :** I could not say off hand.

**Khawaja Ghulam Hussain :** May I know if Government have issued any instructions prohibiting the transfer of officers in between an academic year ?

**Minister :** I am not aware of any such term in our Government rules. Will the honourable member kindly repeat his question ?

**Khawaja Ghulam Hussain :** May I know if the Government have issued any instructions that Government officers should not be transferred in between the financial year as well as the academic year ?

**Minister :** I do not follow the question. Officers have to be transferred some time during the financial year, the financial year means the whole of the year, and no transfers can be made at some imaginary time outside the calendar year.

POSTS OF DEPUTY COMMISSIONER, DISTRICT AND SESSIONS JUDGE  
AND SENIOR SUB-JUDGE AT AMBALA.

**\*1096. Sufi Abdul Hamid Khan :** Will the Honourable Premier be pleased to state—

- (a) whether the posts of Deputy Commissioner, District and Sessions Judge and Senior Sub-Judge at Ambala were ever held by Muslims during the last 15 years ;
- (b) if the answer to (a) above be in the negative, reasons why no Muhammadan has been appointed during the last 15 years to hold the office of Deputy Commissioner or District and Sessions Judge or Senior Sub-Judge at Ambala ;
- (c) the steps Government intend to take in the matter ?

**Parliamentary Secretary (Mir Maqbool Mahmood) :** I regret that the answer to this question is not yet ready.

NAZUL LANDS IN VILLAGE BHABRA IN LAHORE DISTRICT.

**\*1097. Maulvi Mazhar Ali Azhar :** With reference to the starred question No. \*3888<sup>1</sup> asked by me in 1934, and the reply thereto will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the Settlement Officer, Lahore, has lately served the zamindars of village Bhabra with a notice to pay proprietary dues at the rate of Rs. 400 per kanal on the basis of present day market value of the said land ;
- (b) whether the zamindars of that village have thereupon submitted a memorandum to the Government ; if so, the action that has been taken or is proposed to be taken on that memorandum ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) Yes ; the memorandum is under the consideration of Government.

MEMORIAL BY VOTERS OF HOSHIARPUR MUNICIPALITY REGARD-  
ING NOMINATION.

**\*1098. Sardar Hari Singh :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether it is a fact that the Sikh voters of Hoshiarpur Municipality have recently submitted a mass memorial to the authorities on the subject of nominations to that Municipality ;
- (b) the total number of voters of the said municipality and the number of those who have signed the memorial ;
- (c) the action that the Government proposes to take on the memorial mentioned in part (a) above ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) Yes.

(b) There are 9,518 voters in the Hoshiarpur Municipality and the memorial is purported to have been signed by 276 Sikhs.

(c) None. The gentleman nominated by the Commissioner was considered most suitable which is borne out by the fact that he has been elected President of the Committee by a majority of 9 to 4 votes.

#### LAWRENCE STATUE.

**\*1099. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) whether he is aware that the presence of the Lawrence Statue on the Mall at Lahore has twice in the past seventeen years been the object of keen political agitation and Satyagraha directed at its removal from its present place ;
- (b) whether the present Government has ever considered the question of its removal to the Lahore Museum as a satisfactory solution of the controversy ; if so, with what result ?

**Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) :**

(a) There was some agitation on the subject on two occasions.

(b) First part ; No.

Second part ; does not arise.

**Mr. E. Few :** Will Government be pleased to state whether the question of any other statue is before it ?

**Parliamentary Secretary :** I want notice of the question.

**Khan Muhammad Yusaf Khan :** Will he please state whether Government has considered the desirability of removing any other statue on the Mall, particularly the Queen's Statue ?

**Parliamentary Secretary :** No action is contemplated about the Lawrence Statue as the inscription on it was removed some time ago.

**Sardar Hari Singh :** Has the attention of Government been drawn to the recent action taken by the Madras Government in a similar case ?

**Parliamentary Secretary :** The Madras Government do not submit any report to me about their actions ?

#### ARREST AND DETENTION OF ISHAR SINGH, APPROVER, IN BELA SINGH MURDER CASE.

**\*1100. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) the reason why Ishar Singh, approver in the Bela Singh murder case, was kept in custody after the decision by the Sessions Court at Hoshiarpur in 1937 ;
- (b) the date and grounds on which Ishar Singh, approver, was subsequently released on bail from Hoshiarpur sub-jail ;
- (c) the date and the place whence the said Ishar Singh was re-arrested and the offence for which he was re-arrested ;
- (d) the probable date when it is proposed to start regular prosecution against him and also the reasons for which prosecution has been delayed so far ;

[8. Hari Singh.]

- (e) the total period for which said Ishar Singh has been in (i) police custody and (ii) judicial lock-up since his first arrest by the police ?

**Parliamentary Private Secretary (Sayad Amjad Ali Shah) :**  
As the case is *sub-judice*, it is not in the public interest to give a reply.

**\*1101—04. Cancelled.**

PUBLIC WORKS DEPARTMENT CONTRACTORS FOR ROADS AND BUILDINGS.

**\*1105. Sardar Tara Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that Government have recently approved certain contractors for the Public Works Department roads and Government buildings in the Kangra district, in A, B and C classes of contractors ;
- (b) if the answer to (a) above be in the affirmative, the names of the approved contractors together with the security deposited by each in all the above 3 classes ;
- (c) whether the Government is aware that these approved contractors sometimes keep sub-contractors for their assistance ;
- (d) the security, if any, taken from such sub-contractors by the Government ;
- (e) whether the permission of the Executive Engineer or Superintending Engineer of the Circle is obtained for employing such sub-contractors ; if not, why not, and what action Government propose to take in the matter ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) The attention of the honourable member is drawn to the report of the Rates Enquiry Committee, item (c) (ii) on pages 13-14. Government has, as a result of the recommendations in this Report, recently revised the lists of approved contractors and classified them as suggested therein. This has been done for every division throughout the province.

(b) The register of contractors is a confidential document and Government considers that it is undesirable to publish any information contained therein. No security is required for enlistment as contractors.

(c), (d) and (e) No. The Government does not recognise the employment of such sub-contractors or the system of subletting of work by one contractor to another.

**Lala Duni Chand :** Is it true that certain contractors are entered in the list as a matter of patronage ?

**Khawaja Ghulam Samad :** Will Government please state the number of Muslim contractors in this department ?

**Minister :** I am afraid I cannot quote the number.

**Khawaja Ghulam Samad :** Is there any scheme to increase the number of Muslim contractors according to population?

**Minister :** That is a request for action.

**Lala Duni Chand :** Is it true that certain contractors are entered with a view to help them financially ?

DISTRICT INSPECTOR HARI PAL AS INSPECTOR, POLICE LINES  
AT LUDHIANA.

**\*1106. Chaudhri Muhammad Hasan :** Will the Honourable Premier be pleased to state—

- (a) the reasons for which a District Police Inspector has been put in charge of the police lines at Ludhiana ;
- (b) whether it is a fact that the papers relating to the police lines are submitted through the said Inspector to the Superintendent of Police, Ludhiana ;
- (c) whether ever before a District Inspector of Police, not being a Reserve Inspector, has been in charge of the Ludhiana police lines ;
- (d) the duties that a district inspector of police in other district is ordinarily expected to perform ;
- (e) whether the said district inspector of police is holding an officiating appointment ;
- (f) his present pay, the extent of his service and his home district ?

**Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) :**

(a) There is no Reserve Inspector sanctioned for the Ludhiana district, and the Superintendent of Police has found it convenient to place the District Inspector in charge of the lines, under himself.

(b) Yes.

(c) Information on this point is not on record.

(d) The honourable member is invited to refer to rules 20·10 to 20·18 of the Punjab Police Rules.

(e) The present Inspector was promoted substantively in September last, on one year's probation.

(f) Rs. 187-8-0 per mensem : 24 years' service : resident of the Kangra district.

NOTIFIED AGRICULTURAL TRIBES, AND SAINIS AND HARNIS.

**\*1107. Chaudhri Muhammad Hasan :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether there are any villages in the Punjab in which Sainis reside ;

(b) whether Sainis of the Ludhiana district are included among the notified agricultural tribes ;

(c) whether Harnis of the Jagraon tahsil are included among Rajputs ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) and (b) Yes.

(c) No.

INQUIRY ADOPTED BY MR. ASKWITH IN CONDUCTING HIS INQUIRY  
INTO THE PANIPAT FIRING.

**\*1108. Malik Barkat Ali :** Will the Honourable Premier be pleased to state the method of inquiry adopted by Mr. Askwith in conducting his inquiry into the Panipat firing on 27th March, 1937, and in particular : (i) the manner in which witnesses were selected by him, (ii) whether the witnesses examined by him were examined in camera or in open, and (iii) whether they were permitted to be cross-examined by the representatives of any section of the people ?

**Parliamentary Secretary (Mir Maqbool Mahmood) :** The following passage from one of the early paragraphs of the report describes the method followed in selecting the witnesses :—

‘ In the Commissioner’s company I had paid a preliminary visit to the scene of the firing shortly after arriving in Panipat on the 28th. On the following day Mr. Hanrahan and I made a more detailed examination of the ground ; endeavouring in particular to locate the positions where each of the seven persons killed had been at the time when they were shot. As we went round a number of persons came forward volunteering evidence. The names of those who seemed to have information of value were taken down, and these persons were called as the first witnesses in the inquests. On the same day a notice was published in the town asking any one who might have evidence to tender to give in his name. A hundred persons responded to this invitation. These were subsequently called, and all who appeared, as most of them did, were examined.’

Most of the witnesses were heard in the Public Works Department Rest House at Panipat, and the small size of the room made it impracticable to admit the public in any numbers ; but when two legal practitioners asked for permission to be present during the recording of some of the statements, facilities were provided. No request was made by any one to officer for permission to cross-examine.

**Khawaja Ghulam Samad :** Will the Government please state whether the witnesses who deposed before the Revenue Secretary justifying the action of the police in firing at the Muslims at Panipat were all Government officials or private men also ?

**Parliamentary Secretary :** I want notice of that question.

**Pandit Muni Lal Kalia :** Is the Government prepared to lay the whole report on the table of the House ?

**Parliamentary Secretary :** If he gives notice of that question, I will answer it.

**Mian Abdul Aziz :** Is that report considered to be a privileged document ?

**Parliamentary Secretary :** It does not arise within the answer that has been given.

**Khawaja Ghulam Samad :** What were the reasons which delayed the publication of the report for so many months ?

**Parliamentary Secretary :** The cases were *sub-judice*.

## MUNICIPAL COMMITTEE, PANIPAT.

**\*1109. Malik Barkat Ali :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that the Municipal Committee, Panipat, passed a resolution No. 389, dated 19th July, 1937, protesting against the action of the Commissioner and requesting the Punjab Government to intervene under section 237 of the Municipal Act ;
- (b) whether it is a fact that the Deputy Commissioner, Karnal, instead of forwarding this resolution to Government with his remarks thereon, suspended the execution of the resolution under section 232 of the Municipal Act ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** The reply to parts (a) and (b) of the question is in the affirmative.

PARTY PROPAGANDA CARRIED ON BY THE HONOURABLE  
MINISTERS ON TOURS.

**\*1110. Sardar Hari Singh :** Will the Honourable Premier please state—

- (a) whether the tour of the Premier, the Revenue Minister and the Minister for Development to villages Posi and Bhullan in district Hoshiarpur in the third week of November was for the purposes of Party propaganda or on Public business or both ; and whether they have drawn or will draw travelling allowance for the tour ;
- (b) whether the Ministers combined public business with Party propaganda during the tour referred to in the previous part ; if so, what was the nature of public business transacted by the Ministers in the said tour individually and collectively ?

**Parliamentary Secretary (Mir Maqbool Mahmood) :** (a) The tour was undertaken for the purpose of Public business and the opportunity was also taken for defending the policy of Government against attacks and criticism. Travelling allowance was drawn in the usual course.

(b) It is the function of the Ministers to keep in touch with the people of the province and to personally see the condition of the various parts of the province. In view of this the question of the honourable member seems to be ill-conceived.

**Sardar Hari Singh :** May I ask what is the nature of public business transacted during these tours ?

**Parliamentary Secretary :** Keeping in touch with the province.

**Sardar Hari Singh :** May I know whether speeches were made by the Ministers concerned ?

**Parliamentary Secretary :** Probably, yes.

**Sardar Hari Singh :** May I ask whether it is a fact that the Deputy Commissioner of the district and the Superintendent of Police were present at those meetings addressed by the Ministers ?

**Khan Bahadur Mian Mushtaq Ahmad Gurmani:** Does that question at all arise from the answer to the question?

(Some honourable members: Yes, Yes.).

**Mr. Speaker:** From which part of answer does it arise?

**Sardar Hari Singh:** In answer to a supplementary question the Parliamentary Secretary was pleased to say that the Ministers addressed certain meetings and I want to know whether at those meetings addressed by the Ministers the Deputy Commissioner and the Superintendent of Police were present.

**Parliamentary Secretary:** I want notice of that question.

**Diwan Chaman Lall:** May I enquire as to what the honourable member means by 'keeping in touch with the public'?

**Parliamentary Secretary:** I mean keeping in touch with the public.

**Diwan Chaman Lall:** May I ask the honourable member to be explicit on this point and tell us exactly what he means by the Honourable Premier going at public expense to do propaganda for the Unionist Party and what he means by 'keeping in touch'?

**Finance Minister:** The words are simple enough.

**Diwan Chaman Lall:** Is it permissible for honourable members of Government to utilize public funds for doing private personal party propaganda?

**Parliamentary Secretary:** I strongly repudiate any suggestions in that insinuation, and I hope that the honourable member who put this question will have as previously to put himself in the awkward position of having to withdraw hasty statements later. It is the chief function of Honourable Ministers to keep in touch with the province and the tours of Honourable Ministers are intended to fulfil that purpose. It would be a sad day if the Honourable Ministers do not keep in touch with the people.

**Diwan Chaman Lall:** Was the object of the tour to strengthen the Unionist Party and do propaganda against the Congress?

**Parliamentary Secretary:** If in the course of their tours they get opportunities of refuting mischievous and false criticisms of Government, I submit it is the supreme function of Ministers to do so.

**Diwan Chaman Lall:** May I enquire whether at public expense it is permissible for any member of Government to do propaganda for his own party?

**Parliamentary Secretary:** Government is Government and if false criticisms are laid against Government or mischievous statements are made then it is not only the right but the duty of the Ministry to refute them.

**Diwan Chaman Lall:** Is it not pure corruption on the part of Government members to do propaganda for their own party?

**Parliamentary Secretary:** I object to that word. It is an unparliamentary expression.

**Mr. Speaker:** The word 'corruption' is unparliamentary.

**Diwan Chaman Lall :** I am quite willing to withdraw that expression. The position would have been made perfectly clear if the honourable member had taken the occasion explicitly to state what the nature of the public business was. The impression on this side of the House was that it was no other public business except doing propaganda for the Unionist Party.

**Pandit Muni Lal Kalia :** Will the honourable member please state what was the immediate occasion for a three fold attack by the three Ministers on a small village of the Hoshiarpur district ?

**Parliamentary Secretary :** There was no attack.

**Pandit Muni Lal Kalia :** I mean attack on the people there who were summoned through the Police and through the lambardars to attend that meeting.

**Mr. E. Few :** Will the Opposition require Government members to circulate them a notice as to where they are going and for what purpose they are going ?

**Diwan Chaman Lall :** May I ask the honourable member if he is now prepared to specify the nature of the public business conducted by these gentlemen who went to Hoshiarpur ? May I ask the honourable member to reply to my question.

**Parliamentary Secretary :** I have already stated that the Ministers went there to keep in touch with the province.

**Diwan Chaman Lall :** That is no answer at all.

*(Interruption from honourable members.)*

**Rai Hari Chand :** Will the Parliamentary Secretary please state whether it is a fact that 25,000 zamindars came to express their complaints at Khillian, when the Honourable Premier and Honourable Minister for Development visited that place ?

**Pandit Muni Lal Kalia :** Does this question ask for information or does it supply information ?

**Mr. Speaker :** It supplies information.

**Sardar Partab Singh :** Does the term 'to keep in touch with the public' also include the tour of the Ministers in support of certain candidates for the Punjab Legislative Assembly ?

**Parliamentary Secretary :** Is it a supplementary question arising out of my reply ? I submit it is not a supplementary question.

**Sardar Hari Singh :** Will the honourable member be pleased to state the nature of the criticism or misrepresentation that they felt called upon to refute in these meetings ?

**Parliamentary Secretary :** My honourable friend should know that as he keeps himself in touch with these matters. But if he wants any specific information I could give him a series of mischievous and I am sorry to say false statements made against the Government.

**Sardar Hari Singh :** As regards the refuting of the false propaganda by means of these tours, will the Honourable Member take the House into his confidence by giving a few instances of such propaganda against the Government ?

**Parliamentary Secretary :** If my honourable friend is anxious to have that information, let him come to me and I shall give him material and food for thought .

(Honourable members : Why not here ?)

Let him give me notice and I shall supply the information.

**Sardar Hari Singh :** May I know if short hand reports of those speeches were taken ?

**Lala Bhim Sen Sachar :** Does this 'mischievous criticism' referred to consist in attacking the policy of the Unionist party ?

**Parliamentary Secretary :** Certainly not. I am sure that the House needs no assurance that Government welcomes healthy criticism and is prepared to meet it as far as possible, but when I stated mischievous propaganda I was obviously not referring to criticism as criticism.

**Lala Bhim Sen Sachar :** What does then mischief consist in ?

**Parliamentary Secretary :** False and mischievous propaganda.

**Lala Bhim Sen Sachar :** What is the nature of that false propaganda ? Will the Honourable Member be pleased to give just an idea of what he considers to be false ?

**Parliamentary Secretary :** I submit that if I were to state all those facts it will be beyond my comprehension to state them in parliamentary language.

#### TRAVELLING ALLOWANCES, ETC., EARNED BY MINISTERS.

\*1111. **Sardar Hari Singh :** Will the Honourable Premier please state the amount of travelling and other allowances (except House Allowance) earned by each of the present Ministers of the Punjab Government from the date of their appointment up to date ?

**Parliamentary Secretary (Mir Maqbool Mahmood) :** Travelling allowance drawn from the 1st April to the end of December, 1937, is as follows :—

	Rs.	A.	P.
The Honourable Premier .. ..	1,210	14	0
The Honourable Minister for Revenue ..	2,823	1	0
The Honourable Minister for Development	5,206	10	0
The Honourable Minister for Finance ..	2,354	13	0
The Honourable Minister for Public Works	2,286	13	0
The Honourable Minister for Education ..	3,413	8	0

Besides this, charges on account of railway accommodation requisitioned by the Honourable Premier and the Honourable Ministers in connection with their tours up to the end of October amounted to Rs. 6,406. Figures for November and December are not yet available.

These amounts include expenditure on travelling in connection with the summer move of Government.

No other allowance besides House Rent Allowance has been drawn by the Honourable Ministers or Premier.

**Lala Deshbandhu Gupta :** May I know if this amount of Rs. 5,000 drawn by the Honourable Minister for Development also includes expenses incurred on his visit to Kharar in July last ?

**Minister for Revenue :** No.

**Lala Deshbandhu Gupta :** Are we to understand that the Honourable Ministers do not propose to bill the Government for same ?

**Minister :** They have not billed them so far.

**Lala Deshbandhu Gupta :** When do they propose to do so, or whether they do not want to do so at all ?

**Minister :** No.

**Lala Deshbandhu Gupta :** Is it because they were specifically there for supporting the candidature of a particular candidate ?

**Minister :** You can draw your own inference.

**Lala Deshbandhu Gupta :** Is the Honourable Minister not in a position to say as to why they do not propose to bill the Government ?

**Minister :** Are we forced to draw these allowances ?

**Lala Deshbandhu Gupta :** What I want to know is whether similar circumstances do not exist in case of other visits, wherefor they have billed the Government for their visits ?

**Minister :** No.

**Lala Deshbandhu Gupta :** Unless we know the reasons for not charging the Government for that visit how can the Honourable Minister say 'no' ?

**Minister :** You have full material.

**Sardar Hari Singh :** On a point of order, Sir. May I draw your attention to the persistent breach of rules of procedure by the Honourable Minister for Revenue in not addressing the Chair.

**Mr. Speaker :** When a question is asked, its answer is given to the questioner, not to the Chair.

**Diwan Chaman Lall :** May I take it that when an Honourable Member of the Government answers a question he is presumed to address the Chair and not directly the particular questioner ? When the Honourable Minister says "You can draw your inference", is he in order in saying that ?

**Mr. Speaker :** The information sought by the questioner is given to the whole House, nay, to the public.

**Pandit Shri Ram Sharma :** Will the Government be pleased to state what share out of this more than 5 thousand rupees, travelling allowance was drawn by the Minister for Development on his visits in the Ambala and Rohtak districts ?

**Diwan Chaman Lall :** Is the Honourable Minister aware that at this rate, the Honourable Minister for Development will be a very rich man in a short time ? (*Laughter*). May I ask the Honourable Minister during the tour undertaken by the Honourable Minister for Development, on how many occasions did he attack the Congress and his opponents ?

(*Voices : Always*).

#### NOMINATIONS TO HOSHIARPUR MUNICIPALITY.

**\*1112. | Sardar Hari Singh :** (i) Will the Honourable Minister for Public Works be pleased to state—

(a) whether the authorities have received a representation from the Singh Sabha, Hoshiarpur, in the matter of nominations to the Local Municipal Committee ;

(b) whether it is a fact that the said Singh Sabha has also submitted a panel of names out of whom one might be nominated to the said Municipality if a Sikh is to be nominated ;

(c) if the answers to parts (a) and (b) above be in the affirmative, the action taken or proposed to be taken by the Government in the matter ?

(ii) Will the Honourable Premier also kindly state the criterion by which it is judged whether a candidate for nomination enjoys the confidence and would reflect the views of the particular interest sought to be represented, through him ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (i) (a) Yes.

(b) Yes.

(c) The Commissioner, Jullundur division, who made the appointments to the Hoshiarpur Municipal Committee which is a second class municipality duly considered all names before finally arriving at a decision. Government do not propose to take any action in the matter.

(ii) In making appointments to municipal committees the first and foremost consideration is the interest of the local body concerned.

**Sardar Hari Singh :** May I ask the Honourable Minister whether the decision taken by the local authorities into the matter of nomination of a Sikh, was taken contrary to the wishes of the Sikhs ?

**Minister :** Not at all.

**Khawaja Ghulam Samad :** Is it a criterion that a member who secures only 5 per cent. of votes in election should be nominated as member as has happened in the case of a Muhammedan member at Simla.

**Minister :** This does not arise out of this question.

**Lala Deshbandhu Gupta :** Does not Government think it desirable to ban nominations of such candidates who have been defeated in the election ?

**Minister :** The defeated candidate is in no way barred from nomination.

**Lala Deshbandhu Gupta :** Is it not a fact that such persons, if nominated would be those who have lost the confidence of the constituency as demonstrated by their defeat ?

**Minister :** In this case the man, who was nominated, was elected President of the Municipality.

**Pandit Muni Lal Kalia :** Is it not a fact that only those defeated candidates are nominated by the Government who happened to be loyalists ?

**Minister :** Please define the term 'loyalist'.

#### NOMINATION OF A DEPRESSED CLASS REPRESENTATIVE TO HOSHIAHPUR MUNICIPALITY.

**\*1113. Sardar Hari Singh :** Will the Honourable Minister for Public Works be pleased to state whether the Government has considered the question of nominating a representative of the Depressed Classes to the Hoshiarpur Municipal Committee ; if so, with what result ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** The Commissioner, Jullundur division, who made the appointments to the Hoshiarpur Municipal Committee which is a second class municipality duly considered the claims of the depressed classes but finding those of the Sikhs to be stronger he appointed a member of that community on the Committee.

**Sardar Hari Singh :** Will the Honourable Member please state whether he is now prepared to nominate members to represent depressed classes.

**Minister :** No, it does not arise. Those who deserved nomination got it.

#### RETIREMENT OF DR. B. L. BHATIA, P. E. S.

**\*1114. Sardar Hari Singh :** Will the Honourable Minister for Education please state whether it is a fact that Dr. B. L. Bhatia, P.E.S., has resigned Government service under protest ; if so, whether he would lay a copy of the protest letter of his resignation on the table of the House ?

**The Honourable Mian Abdul Haye :** No ; Dr. Bhatia did not resign. The second part does not arise.

**Sardar Hari Singh :** Is he in service even now ?

**Minister :** No, Sir.

**Sardar Hari Singh :** Was he dismissed ?

**Minister :** No, Sir.

**Sardar Hari Singh :** Did he resign ?

**Minister :** No.

**Sardar Hari Singh :** He neither resigned, nor was he dismissed, nor is he in service. Then what has happened to him ?

**Minister :** He applied for permission to retire on pension. That permission was granted.

**Dr. Gopi Chand Bhargava :** Did he retire under protest ?

**Minister :** Yes, under protest.

**THIKRI PEHRA IN VILLAGE PHUNGARNI IN HOSHIARPUR DISTRICT.**

**\*1115. Sardar Hari Singh :** Will the Honourable Premier please state—

- (a) the grounds on which thikri pehra has been enforced in village Phungarni, tahsil and district Hoshiarpur ;
- (b) whether the authorities have recently received a representation from the people of the village praying for discontinuance of the thikri pehra there ; if so, the action proposed to be taken by the authorities thereon ?

**Parliamentary Secretary** (Sardar Sahib Sardar Ujjal Singh) : (a) No order under section 3 of the Punjab Village and Small Towns Patrol Act, 1918, has been made in respect of the village named. Such arrangements as exist for thikri pehra in the village are on a voluntary basis.

(b) A petition of the kind described was recently received by the Deputy Commissioner. Inquiries made by him showed that it was sponsored by a small minority of mal-contents, and no action is contemplated.

**Sardar Sohan Singh Josh :** Is the Honourable Member aware that thikri pehra was introduced against the will of the villagers in many places ?

**Parliamentary Secretary :** No. Sir, the arrangement is entirely on a voluntary basis.

**Pandit Muni Lal Kalia :** Has the attention of the Government been drawn to several thousands of resolutions moved from time to time during the last few months protesting vigorously against this forced thikri pehra ?

**Parliamentary Secretary :** This does not arise out of the reply to this question, but in this particular case majority of the people agreed to thikri pehra on voluntary basis.

**Sardar Rur Singh :** What is the use of thikri pehra. The poor peasants have nothing to be stolen away, it is only to protect the rich people that this sort of pehra is enforced.

**Parliamentary Secretary :** It is meant for the protection of all the villagers.

**Sardar Sohan Singh Josh :** Is it a fact that thikri pehra has been introduced in village Jauns, tahsil Ajnala, against the will of the villagers ?

**Parliamentary Secretary :** I require notice.

**USE OF LOUD SPEAKERS BY MINISTERS WHILE ADDRESSING A MEETING AT POSI, ETC.**

**\*1116. Sardar Hari Singh :** Will the Honourable Minister of Development be pleased to state—

- (a) whether it is a fact that he and some of his colleagues in the cabinet addressed a meeting of villagers at village Bhullan, district Hoshiarpur, on 21st November, 1937 ;

- (b) whether it is also a fact that loud speakers belonging to the Rural Reconstruction Department were used by the Honourable Ministers in addressing that meeting; if so, whether the Government is prepared to accord the same facilities to the Opposition leaders?

**The Honourable Chaudhri Sir Chhotu Ram :** (a) Yes.

(b) (First part) Yes.

(Second part) No.

**Diwan Chaman Lall :** May I ask the Honourable Member whether it is a fact that these loud speakers were utilised for the purposes of a propaganda meeting?

**Minister :** No, they were utilised for the purpose of a visit which was undertaken to explain the policy of the Government to the people and to answer attacks by political opponents.

**Diwan Chaman Lall :** Is the Honourable Member aware that in no part of the world are public funds utilised for the purpose of party propaganda?

**Minister :** I am not aware of the practice suggested by the honourable member.

**Diwan Chaman Lall :** Is the Honourable Member prepared to take steps to put an end to this nefarious practice?

**Minister :** I repudiate this charge.

**Diwan Chaman Lall :** Is the Honourable Member not aware of the serious feelings in the country against the utilization of public funds for private party propaganda?

**Minister :** There is no such feeling in the country.

**Diwan Chaman Lall :** Does the Honourable Member consider that the Unionist Party is synonymous with the Government of the province so far as the finances of the Government are concerned?

**Minister :** Not exactly.

**Diwan Chaman Lall :** Is the Honourable Member prepared to put an end to the utilization of public funds for party purposes?

**Minister :** The suggestion is entirely wrong.

**Diwan Chaman Lall :** Is it a fact that this particular meeting was addressed for party purposes and public funds were utilized for the purpose of propaganda?

**Minister :** I have already answered that question.

**Pandit Muni Lal Kalra :** Was there any formal invitation issued to the Ministers to attend the meetings?

**Minister :** Yes, there was.

**Pandit Muni Lal Kalra :** By whom?

**Minister :** By honourable members of this House.

**Pandit Muni Lal Kalra :** And not by the residents of that *ilaga*?

## HOSHIARPUR-PHAGWARA ROAD.

**\*1117. Sardar Hari Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the length of the Hoshiarpur-Phagwara road under the jurisdiction of the Punjab Government that remains unmetalled so far and a rough estimate of expenditure that will have to be incurred to metal it ;
- (b) whether the authorities have received a representation from the people of the ilaqa concerned praying that the said road be metalled in view of the economic advantage that would accrue to the agriculturists if the said road were metalled ;
- (c) the action proposed to be taken by the authorities in the matter ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) The total distance between Hoshiarpur and Phagwara by the direct route is 23 miles. Of this length 13 miles are under the District Board and are unmetalled, the remaining 10 miles are metalled and lie in the Kapurthala State. The rough cost of metalling the Punjab section would amount to about 1 lakh.

(b) Yes.

(c) The metalling of the road under the District Board is not likely to be taken in hand in the near future as there are more important schemes to be executed out of the limited funds at our disposal. Moreover there is already a metalled road between Hoshiarpur and Phagwara *via* Jullundur.

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COMPULSORY ATTENDANCE OF PEOPLE OF LOCALITY IN A MEETING  
ADDRESSED BY MINISTERS AT BHULLAN.

**\*1118. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that on the eve of his and his colleagues' visit to village Bhullan, district Hoshiarpur, on 21st November, it had been proclaimed through chaukidars and village officials in the ilaqa around that every male above the age of ten should attend the meeting to be addressed by the Minister on pain of fine and other punishment ;
- (b) whether he is aware that students of District Board Schools in the entire neighbourhood were compelled to attend and swell the number ?

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

(b) Nobody was compelled to attend.

**Sardar Hari Singh :** On what authority does the Honourable Member deny the allegations made in the question ?

**Parliamentary Secretary :** On the authority of the information supplied after due enquiry by the local officials.

**Sardar Hari Singh :** Is he perfectly satisfied that the local officials made enquiries from the villagers concerned ?

**Parliamentary Secretary :** Yes.

SPEECH OF THE HONOURABLE MINISTER OF DEVELOPMENT  
AT THE PUNJAB AD DHARMIS' CONFERENCE.

**\*1119. Sardar Hari Singh :** Will the Honourable Minister for Development be pleased to state—

- (a) whether during the course of his speech at the Punjab Ad Dharmis' Conference held at Jullundur on 21st November, the Honourable Minister for Development said that "the policy of the Unionist Party since its inception had been to bring the backward classes to the level attained by others";
- (b) whether at the stage when he was uttering the words referred to above, he was interrupted by a voice crying "absolutely wrong";
- (c) whether the interrupter was forcibly removed from the Pandal by the police; if so, why?

**The Honourable Chaudhri Sir Chhotu Ram :** (a) It is extremely difficult to recall the exact words, but I must have said something resembling what has been suggested.

(b) Yes.

(c) No. I understand that the interrupter was warned by a sub-inspector of police either to behave properly or to leave the meeting, and on this he removed himself.

**Pandit Muni Lal Kalia :** Has this answer been given from memory or has memory been refreshed from some notes taken at that time?

**Minister :** Answer to part (c) has not been given from memory.

COMPLAINTS AGAINST POLICE.

**\*1120. Sardar Hari Singh :** Will the Honourable Premier be pleased to state whether the district authorities have received complaints from the shop-keepers at Mela Shingh Shirahan, held at village Achalpur, thana Garhshankar, district Hoshiarpur, on the 21st and 22nd November, 1937, alleging illegal extortion by the police on the occasion of the fair; if so, the result of the inquiry, if any, conducted into the matter?

**Parliamentary Secretary (Mir Maqbool Mahmood) :** I regret that the answer to this question is not ready.

RAISING OF SAMUNDARI TO A SMALL TOWN.

**\*1121. Khawaja Ghulam Hussain :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the total number of inhabitants of Samundri town;
- (b) the aggregate amount of taxes paid by the inhabitants of Samundri and the number of members of the notified area committee;
- (c) whether it is the intention of Government to raise the said committee to a small town committee?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) 2,278 according to the census of 1931.

(b) The aggregate amount of taxes paid by the inhabitants of Samundari is Rs. 4,113.

The number of members of the Notified Area Committee is six.

(c) No.

**Khawaja Ghulam Hussain :** May I know what the present population is ?

**Minister :** According to the census of 1931 the population is 2,278. The present population can be counted by the honourable member himself.

#### ASSESSMENT APPEALS BEFORE COMMISSIONER, MULTAN.

**\*1122. Khawaja Ghulam Hussain :** Will the Honourable Minister for Revenue be pleased to state—

(a) the total number of assessment appeals preferred to the Commissioner, Multan, from the order of Settlement Officer, Lyallpur ;

(b) the number of such appeals as have been disposed of and the number separately of those which are still pending with the result in each case ;

(c) how many appeals were heard per day by the Commissioner and how many were disposed of every day ;

(d) what part of the day was reserved by the Commissioner for hearing and dealing with these cases ;

(e) how many appeals have been accepted by the Commissioner and how many rejected ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) 1,124.

(b) Number disposed of up to 20th November 1937—739.

Pending on 20th November. 1937—385.

(c) A hearing was given in 13 cases, and all of them were disposed of in 4 days.

(d) Between 10 A.M. and 1 P.M.

(e) Only one appeal has been accepted and the rest have been rejected.

**Khawaja Ghulam Hussain :** May I know whether these appeals were heard by the Commissioner himself ?

**Minister :** I think they must have been heard according to the law that is in force. If the Commissioner is to hear such appeals, they must have been heard by him and by nobody else.

**Khawaja Ghulam Hussain :** May I know the number of appeals that were heard daily ?

**Minister :** It is not quite easy to find that out, but from the number that I have already given the honourable member can very well find out what the daily average is.

**Khawaja Ghulam Hussain :** Is the honourable member aware that these appeals were not heard by the learned Commissioner himself ?

**Minister :** That is not my information.

**Khawaja Ghulam Husain :** Will he be pleased to make enquiries ?

HONORARY MAGISTRATES AND HONORARY CIVIL JUDGES.

**\*1123. Khawaja Ghulam Hussain :** Will the Honourable Premier be pleased to state—

- (a) the total number of honorary magistrates and honorary civil judges in the Punjab ;
- (b) the number of honorary magistrates and civil judges among them who possessed legal knowledge and training before their appointment ;
- (c) whether it is a fact that the possession of any legal knowledge or training is not a condition precedent for appointment as an honorary judge or a magistrate ;
- (d) whether Government are aware that in other provinces the institution of honorary magistrates and honorary civil judges has been altogether abolished, or is proposed to be abolished ;
- (e) whether the Punjab Government intends to take similar steps here in the province ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) Particulars of all the honorary magistrates and honorary subordinate judges in the Province are regularly published in the half-yearly Civil List (Part II).

(b) This has been dealt with in my reply to question No. \*949<sup>1</sup> put by the honourable member for the Kangra and Northern Hoshiarpur (Sikh) Rural Constituency.

(c) Many of the gentlemen appointed as honorary magistrates have no previous knowledge of law, but it is a rule that in such cases the person proposed for appointment shall first undergo a course of training arranged by the District Magistrate and study the essential portions of the Codes.

(d) Government have seen various reports in the press and have no official information.

(e) No.

GRANTS TO *Trini Guzars* IN PIR MAHAL EXTENSION.

**\*1124. Khawaja Ghulam Hussain :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it has not been the invariable practice of Government to grant lands to *Trini Guzars* in preference to persons having other claims for such grants ;
- (b) whether it is a fact that in pursuance of this practice and in the course of colonization operations of Pir Mahal Extension,

[Khawaja Ghulam Hussain.]

Mr. P. K. Kaul, Colonization Officer at Lyallpur, under Government orders actually got prepared in 1927-28 a complete list of the *Trini Guzars* of the Pir Mahal Extension; if so, the number of *Trini Guzars* according to that list;

- (c) whether it is a fact that hardly 1/5th of these *Trini Guzars* have since been granted lands and that the rest have remained unrewarded so far;
- (d) whether there is any land yet available in the Pir Mahal Extension for distribution among the deserving persons, if so, whether Government intends to consider the claims of the *Trini Guzars* not so far compensated when distributing this land?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) No. Locals of every type are always considered on their own merits, irrespective of preferential treatment to one class over the other.

(b) The names of 1,336 persons, who claimed to be *trini guzars* were at first registered in the preliminary list under the directions of Mr. P. K. Kaul, I. C. S., Colonization Officer, Lyallpur, and the claimants were given full opportunities to establish their claims. After examining their cases thrice, in the light of the evidence of residence provided by the births and deaths registers, and the evidence of grazing provided by *trini chits*, 86 families comprising 221 persons were finally held to be eligible and 130 squares were allotted to them.

(c) No.

(d) No land is now available for further allotment. In fact the claims of all the persons who proved themselves to be *trini guzars* in accordance with the principles laid down by Government have already been fully conceded.

#### GRANT OF LANDS TO TIRINI GUZARS IN BURALA EXTENSION, ETC.

**\*1125. Khawaja Ghulam Hussain :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether Government have got prepared the list of *Trini Guzars* in the Burala and the Khekha Extension, if so, the area of land so far granted to these *Trini Guzars* out of the total area distributed so far among the grantees in these Extensions;
- (b) whether with a view to safeguard the interest of all deserving persons and particularly of *Trini Guzars*, Government have so far laid down any definite rules for the guidance of the authorities concerned in the matter of grants of land, if not, whether it intends to do so now?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes. 106 squares out of the total allotments of 800 squares were granted to *trini guzars*.

(b) Definite and comprehensive rules are already laid down for the guidance of Colonization Officers.

## COMPLAINTS AGAINST SUB-ASSISTANT SURGEON, TANDA.

**\*1126. Malik Barkat Ali :** Will the Honourable Minister of Education be pleased to state whether any complaints against the Sub-Assistant Surgeon of Tanda, district Hoshiarpur, have been made to the Civil Surgeon, Hoshiarpur, and other authorities, ; if so, the action, if any, taken on those complaints ?

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

**MR. A. C. MACNABB, ADMINISTRATOR, MUNICIPAL COMMITTEE, LAHORE.**

**\*1127. Malik Barkat Ali :** Will the Honourable Minister of Public Works be pleased to state—

- (a) the pay including allowances of all kinds which is being paid to Mr. A. C. Macnabb, I.C.S.—
- (i) as the Administrator of the Lahore Municipality Committee ; and
- (ii) as President of the Lahore Improvement Trust ;
- (b) the pay which he would have drawn in his service if he had not been appointed to the posts mentioned in (a) above ;
- (c) if the answers to (a) and (b) above show disparity between his regular pay and his special pay as Administrator, etc., whether the Government intends to take any action in the matter with a view to relieving the Municipal rate payers of Lahore of this extra burden ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) (i) Rs. 1,500 as pay, £6-13-4 as sterling overseas pay and Rs. 100 as conveyance allowance.

- (ii) Rs. 1,500 as pay and £6-13-4 as sterling overseas pay.
- (b) Rs. 3,000 per mensem as pay, £13-6-8 as sterling overseas pay and Rs. 250 per mensem as fixed travelling allowance.
- (c) Does not arise.

## RATES OF MALIKANA.

**\*1128. Mian Sultan Mahmud Hotiana :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the rates of Malikana charged from the grantees who were given land in the Lyallpur district ;
- (b) the rates of Malikana that the Government proposes to get from the grantees who have been given land in the Montgomery district ;
- (c) whether the Malikana to be charged from the grantees of the Montgomery district is more than that which is being charged in Lyallpur district, if so, reasons for the same and whether the Government intends to charge uniform rates of Malikana from the grantees of both of these districts ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Malikana is charged in the old areas of the Lyallpur district at the rate of Re. 0-6-0 in the rupee of land revenue, which in the new assessment will vary from Rs. 7-8-0 to Rs. 2-4-0 per acre matured when prices reach the level of commutation prices.

In the new extensions of the Lower Chenab Canal Rs. 3 per matured acre per harvest is charged from reward grantees and Rs. 2 per annum per allotted acre from peasant grantees.

In the Burala extension (non-perennial) Rs. 1-8-0 per matured acre per harvest is realised.

(b) It is not understood what the honourable member means by "proposes to get".

The rate in the Montgomery district is Re. 0-8-0 in the rupee of land revenue which varies from Rs. 3-8-0 to Re. 0-12-0 per acre matured in the Lower Bari Doab Colony. The 1930 reward and landed gentry grantees pay Rs. 3 per matured acre per harvest.

In the Nili Bar Colony the rate is Rs. 3 per matured acre in Kharif and Rs. 2 per matured acre in Rabi on perennial land and half of these rates on non-perennial.

(c) In view of the fact that land revenue in the Lyallpur district is in general higher than in the Montgomery district, the average receipts for *malikana* are also higher in the former district. The rest of the question asked in paragraph (c) does not therefore arise.

#### TARNALI ROAD IN MONTGOMERY DISTRICT.

**\*1129. Mian Sultan Mahmud Hotiana :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that the best market near village Hota in the Montgomery district and other villages close to it, is *Arafwala* ;
- (b) whether it is a fact that in the layout plans of the Montgomery district prepared recently no road has been shown which connects village Hota and other villages in its neighbourhood with *Arafwala* ;
- (c) whether according to the old maps this village was connected with *Arafwala* by means of Tarnali road ;
- (d) whether it is a fact that Tarnali road still exists ;
- (e) if the answer to (d) be in the affirmative, the reasons for not showing it in the maps ?

**The Honourable Dr. Sir Sundar Singh Majithia :** I regret that the reply is not ready.

#### POLICE STATION, MALUKA.

**\*1130. Mian Sultan Mahmud Hotiana :** Will the Honourable Premier be pleased to state whether the Government is considering the question of shifting the police station, Maluka, in the Montgomery district, to Qabula in the same district ; if so, reasons for the same ?

**The Honourable Major Sir Sikander Hyat-Khan :** The headquarters of the police station in question have been transferred to Qabula with effect from the 1st December, 1937. Maluka was selected as the headquarters of this police station in 1929 as a tentative measure only, pending colonisation of the area. Maluka is a remote village with no facilities of any kind. Qabula has easy communication with the market town of Arifwala. The village possesses a post office, dispensary, school and rest house, and is in every way a more suitable location for the police station.

#### PAKPATTAN HOSPITAL.

**\*1131. Mian Sultan Mahmud Hotiana :** Will the Honourable Minister of Education be pleased to state—

- (a) whether it is a fact that several Deputy Commissioners and Commissioner, Multan division, have entered the remarks in the log book of the Pakpattan Hospital that this Hospital should be turned into a Government Hospital; if so, the action, if any, taken by the Government on those remarks;
- (b) whether it is a fact that the Municipal Committee, Pakpattan, is unable to bear the expenses of the said hospital; if so, the action Government intend to take in the matter?

**The Honourable Mian Abdul Haye :** (a) Yes. The scheme for the provincialization of hospitals has since been revived and it is proposed to consider the question of the provincialization of the tahsil headquarters hospital at Pakpattan during the year 1938.

(b) In the event of provincialization of the hospital, the Municipal Committee, Pakpattan, will have to pay to Government an annual contribution equivalent to the average expenditure for the last two years incurred on the maintenance of the hospital regardless of its financial condition. It is one of the conditions laid down by Government and the Municipal Committee will not be absolved from its obligation.

#### GRANT OF LAND TO RIVERAINS OF RIVER SUTLEJ.

**\*1132. Mian Sultan Mahmud Hotiana :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that some honourable members of the Punjab Legislative Assembly recently requested the Government to grant lands to the riverains of the river Sutlej by way of compensation for the washing away of their lands; if so, the action, if any, the Government intends to take in the matter?

**The Honourable Dr. Sir Sundar Singh Majithia :** Yes, a request was received from one honourable member of the Assembly. It was decided on the application that Government could not take up individual cases of this kind. The difficulties of sufferers from diluvion are remembered when colonization schemes are prepared: and land is available for peasant grantees: but Government can recognise no claim on it to grant compensation.

## A HIGH SCHOOL FOR SUJANPUR.

**\*1133. Mian Sultan Mahmud Hotiana :** Will the Honourable Minister of Education be pleased to state—

- (a) whether the people of Sujanpur, district Gurdaspur, have repeatedly sent representations to the Government requesting that a high school may be opened there ;
- (b) if the answer to above be in the affirmative, the action the Government intends to take in the matter ?

**The Honourable Mian Abdul Haye :** (a) No.

(b) Does not arise.

## CRIMINAL TRIBES IN LUDHIANA.

**\*1134. Chaudhri Muhammad Hassan :** Will the Honourable Finance Minister be pleased to state—

- (a) the number and names of the different criminal tribes in the Ludhiana district ;
- (b) the arrangements made for the education of the children of the members of the above-mentioned criminal tribes ;
- (c) if the answer to (b) above be in the negative, why no arrangements have been made so far ;
- (d) the methods, if any, the Government have so far adopted for reforming the members of the said criminal tribes ;
- (e) whether the said tribes in the Ludhiana district are treated on the same footing for the purposes of their employment in Government services as members of the notified agricultural tribes ?

**The Honourable Mr. Manohar Lal :** (a) The names and number of the registered members of different criminal tribes found in the Ludhiana district are :—

(1) Harnis ..	..	..	..	113
(2) Baurias (Settled) ..	..	..	..	57
(3) Sansis ..	..	..	..	109
(4) Jats ..	..	..	..	2
(5) Bhangalis ..	..	..	..	46
(6) Dheas ..	..	..	..	86
(7) Baddons ..	..	..	..	17
(8) Ghandilas ..	..	..	..	3
(9) Baurias (Wandering) ..	..	..	..	1
(10) Nuts ..	..	..	..	8
(11) Mussali Chuhra ..	..	..	..	1
(12) Behalia ..	..	..	..	1

(b) The education of criminal tribes children between the ages of 6 and 12 is compulsory under rule 42 of the rules framed under section 20 of the Criminal Tribes Act, 1924. Government have sanctioned stipends for children attending village schools and 25 such stipends have been allotted to the criminal tribes boys of the Ludhiana district.

(c) Does not arise.

(d) The honourable member is referred to the annual reports of the Criminal Tribes Department.

(e) Yes.

CHANGARS AND GHANDILAS IN LUDHIANA DISTRICT.

**\*1135. Chaudhri Muhammad Hassan :** Will the Honourable Finance Minister be pleased to state—

- (a) the number of *Changars* and *Ghandilas* in the Ludhiana district ;
- (b) their means of subsistence ;
- (c) in what manner do Government propose to improve their condition ?

**The Honourable Mr. Manohar Lal :** If the honourable member's inquiry is intended to obtain information regarding criminal tribes, the answer is as follows :—

(a) The Changars are not notified as a criminal tribe and therefore the requisite information relating to this tribe is not available. There are only three registered Ghandilas.

(b) Ghandilas generally earn their living by selling clay dolls and begging.

(c) The number of registered Ghandilas is so small that Government does not propose to adopt any special measures to improve their condition.

MUNICIPAL COMMITTEE, RAIKOT.

**\*1136. Chaudhri Muhammad Hassan :** Will the Honourable Minister of Public Works be pleased to state—

- (a) the total number of members of the Municipal Committee, Raikot, district Ludhiana ;
- (b) the proportionate representation given to each community in the said Municipal Committee ;
- (c) the number of voters of the said Municipal Committee, community-wise ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) There are nine members on the Municipal Committee of Raikot.

(b) The proportion of Muslims, Sikhs and Hindus and others on the Committee is 5 : 1 : 3.

(c) Number of voters are as follows :—

Muslims	..	..	..	2,825
Sikhs ..	..	..	..	274
Hindus and others	..	..	..	1,648
Total				4,747

## MUNICIPAL COMMITTEE, RAIKOT.

**\*1137. Chaudhri Muhammad Hassan :** Will the Honourable Minister of Education be pleased to state—

- (a) whether there is any Municipal Officer of Health employed by the Municipal Committee, Raikot, in Ludhiana district ;
- (b) whether it is a fact that the local sub-assistant surgeon who is entrusted with the duties of Municipal Officer of Health cannot fully cope with the work of sanitation and public health ;
- (c) the amount of the allowance granted by the said Municipal Committee to the local sub-assistant surgeon for extra work of sanitation and public health ;
- (d) the action Government propose to take in the matter ?

**The Honourable Mian Abdul Haye :** (a) The Sub-Assistant Surgeon in charge of the local dispensary is *ex-officio* Medical Officer of Health of the Raikot Municipality.

(b) The work is being discharged quite satisfactorily by the Sub-Assistant Surgeon.

(c) *Nil.*

(d) Does not arise.

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 PANCHAYAT AT KOTLA NAUDH SINGH.

**\*1138. Sardar Hari Singh :** Will the Honourable Minister for Public Works be pleased to state whether the district authorities have received a representation from the people of village Kotla Naudh Singh, district and tahsil Hoshiarpur, regarding the alleged irregularities on the part of the village Panchayat ; if so, whether he will lay a copy of the same on the table of the House and state the action, if any, taken in the matter ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** The Deputy Commissioner, Hoshiarpur, received three representations against the Panchayat at Kotla Naudh Singh but the enquiries made in pursuance thereof proved the allegations to be unfounded. On the contrary it was found that the Panchayat was working satisfactorily. In the circumstances no useful purpose will be served by laying copies of these representations on the table.

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 CONFINEMENT IN CELLS OF MUNSHI RAM AND OTHER POLITICAL PRISONERS.

**\*1139. Sardar Hari Singh :** Will the Honourable Finance Minister be pleased to state—

- (a) whether he is aware of the fact that the political prisoners named Messrs. Munshi Ram, Tika Ram Sukhan, Indar Pal, Kundan Lal, Tara Singh, Hans Raj and another prisoner when transferred from Lahore Central Jail to the Montgomery Jail, on the arrival of prisoners from the Andamans, were confined in cells previously occupied by tuberculosis patients to which the above-mentioned prisoners protested without any avail ;

- (b) whether the said prisoners were made to remain confined for at least 14 hours daily in these cells ; if so, the reasons therefor ?

**The Honourable Mr. Manohar Lal :** (a) The prisoners in question on transfer from the Lahore Central Jail to the Montgomery Central Jail were confined on the 5th October, 1937, in the special block reserved for terrorists from which, on the 31st July, 1937, one prisoner had been removed who subsequently proved to be tubercular. No protest, however, was made by these prisoners.

(b) These prisoners spend the whole day in the open compound in which their cell block is situated, and are confined in cells for safe custody at night from 6 P. M. (lock-up time) to 6 A. M. (lock-out time).

#### TRAVELLING ALLOWANCE TO MEMBERS WHEN ATTENDING COURTS.

**\*1140. Sardar Hari Singh :** Will the Honourable Finance Minister be pleased to state whether any new rules have recently been framed or instructions issued to the law courts regarding the scale of travelling allowance, etc., to be allowed to members of the Punjab Assembly when they are summoned as witnesses in law courts ?

**The Honourable Mr. Manohar Lal :** The reply is in the negative.

#### COMPLAINTS OF STUDENTS OF INDUSTRIAL SCHOOL, HOSHIARPUR.

**\*1141. Sardar Hari Singh :** Will the Honourable Minister of Development be pleased to state—

- (a) whether it is a fact that stipends are not being paid to the students of the Industrial School (weaving section), Hoshiarpur, every month regularly and whether it is also a fact that no stipends have been paid to them for the last five months ;
- (b) whether it is a fact that the actual instruction imparted to students of the weaving section of the above-mentioned school falls far short of the scheduled syllabus ;
- (c) whether it is a fact that no resident superintendent is attached to the school hostel ;
- (d) whether he is aware of the fact that the depressed class students suffer from lack of facilities as regards provision of water for bathing and drinking purposes in the hostel ;
- (e) whether it is also a fact that these complaints were made to the Textile Inspector of Industrial Schools, Punjab, on the occasion of his last inspection of the Industrial Schools in the Punjab, if so, the steps, if any, that have been taken to remove these complaints ?

**The Honourable Chaudhri Sir Chhotu Ram :** (a) Owing to the fact that the budget for 1937-38 was sanctioned in two parts, it has not been possible this year to pay the stipends regularly every month. The allotment for stipends is sanctioned in a lump sum in the budget which is distributed over the various Government industrial schools and institutes, according to the number of students on the rolls after the admissions are

[Minister for Development.]

over. Stipends are not awarded to more than 25 per cent. of such students. The distribution of the allotments for stipends was done twice this year; once for four months and then for eight months, after the budget was sanctioned by the Assembly. Recommendations for award to individual students were consequently submitted twice by the Headmaster, for the sanction of the Director of Industries through the Textile Inspector and the Inspector of Industrial Schools. No stipends are permissible for the period of the summer vacation. The stipends are now being paid regularly and every student, who was entitled to it, has received his stipend for every month.

(b) No.

(c) No.

(d) and (e) All students are treated alike. After investigation of some complaints, that were made, suitable instructions were given to the Headmaster.

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DISTRICT BOARD, HOSHIARPUR, AND THE DEPRESSED CLASSES.

**\*1142. Seth Kishan Dass :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that long before the gazetting of the nominations to the Hoshiarpur District Board various societies of depressed classes passed resolutions and sent representations to him urging the necessity of nominating an *Achhut* to the said District Board;

(b) whether it is a fact that against the wishes of the societies of the depressed classes a Hindu named Lala Ram Dass, Principal of the D. A.-V. College, Hoshiarpur, has been nominated as their representative; if so, reasons for the same;

(c) what action the Government intends to take in the matter?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) Yes, a few representations were received, about a month before the actual notification of appointments.

(b) There was nothing in these representations to show that the appointment of Lala Ram Dass was objected to by the depressed classes. In fact Lala Ram Dass was recommended as a representative of the depressed classes both by the Deputy Commissioner and the Commissioner.

(c) None. The nomination was made by the last Government.

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GRAVEYARD OF DEPRESSED CLASSES IN MAHALPUR.

**\*1143. Seth Kishan Dass :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether the Government is aware of the fact that the zamindars of Mahalpur town, in district Hoshiarpur, have turned the graveyard of the depressed classes into fields by forcibly ploughing the area and that now the latter are experiencing great difficulty for want of a graveyard;

- (b) if the answer to part (a) be in the affirmative, what action the Government intends to take in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) No graveyard belonging to the depressed classes has been brought under the plough by the zamindars of Mahalpur town in district Hoshiarpur.

- (b) Does not arise.

MUNICIPAL COMMITTEE, JULLUNDUR AND THE DEPRESSED CLASSES.

**\*1144. Seth Kishan Dass :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether the Government is aware of the fact that no *Achhut* has been nominated to the Jullundur Municipal Committee, in spite of the efforts and agitation of the local societies of the *Achhuts* whose population is fairly large in that town, if so, reasons for the same ;

- (b) whether it is a fact that a Hindu gentleman (Rai Sahib Kirpa Ram) has been nominated to the Committee as representative of *Achhuts* ; if so, reasons for the same ;

- (c) the action Government intends to take in the matter ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) No *achhut* has been nominated on the Municipal Committee of Jullundur as *achhuts* form a negligible minority in the Jullundur Municipality which does not entitle them to a seat ;

- (b) No.

- (c) None.

GOVERNMENT OFFICERS AND *ACHHUTS*.

**\*1145. Seth Kishan Dass :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that *Begar* system prevails in the province so far as the services of *Achhuts* are concerned during the tours of the Government officials ;

- (b) whether Government have received any specific complaints in this respect ;

- (c) if the answer to parts (a) and (b) be in the affirmative, the action the Government proposes to take in the matter ; if not, why not ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) and (b) No.

- (c) Does not arise. A copy of the orders that have been issued by Government on the subject was placed on the table of the House at the last session in reply to question No. 25.

## SHARE OF ACHHUTS IN THE VILLAGE SHAMILAT.

**\*1146. Seth Kishan Dass :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that whenever and wherever the *Murabba Bandi* takes place in the villages of the province the village *shamilat* is also partitioned ;
- (b) whether it is a fact that in this process no piece of land out of the *shamilat* is given to the *Achhuts* for their graveyards, cremation grounds, pasture for their cattle or playground for their children ;
- (c) whether it is a fact that they are not even recognized as owners of their houses ;
- (d) if the answer to parts (a), (b) and (c) be in the affirmative, the action Government intend to take in the matter ; if not, why not ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) No.

(b) and (c) By *Murabba Bandi* the existing rights are not disturbed. The law in regard to the partition of *shamilat* land is contained in Chapter IX of the Land Revenue Act and is explained in Chapter XIII of the Punjab Land Administration Manual.

(d) Does not arise.

## MILK FOR CHILDREN AND MUNICIPAL COMMITTEES OF JULLUNDUR AND HOSHIARPUR.

**\*1147. Seth Kishan Dass :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that the Government has granted a certain sum of money to the Jullundur and Hoshiarpur Municipal Committees for supplying milk to small children free of cost ;
- (b) the amount granted to each of the above-mentioned Municipal Committees ;
- (c) whether the amounts granted for this purpose are to be spent on providing children with milk irrespective of their caste and creed ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) No.

(b) and (c) Do not arise.

## SCHOLARSHIPS FOR ACHHUT STUDENTS.

**\*1148. Seth Kishan Dass :** Will the Honourable Minister for Education be pleased to state—

- (a) the number of scholarships granted by Punjab Government and the University of the Punjab to Hindus, Muslims, Sikhs and others separately ;

- (b) whether it is a fact that scholarships granted to the *Achhuts* students are incommensurate with their numbers ; if so, the action the Government intends to take in the matter ?

**The Honourable Mian Abdul Haya :** It is regretted that the answer to the question is not ready.

UNEMPLOYMENT AMONG *ACHHUTS*.

**\*1149. Seth Kishan Dass :** Will the Honourable Minister of Development be pleased to state the action the Government proposes to take to mitigate unemployment among the *Achhuts* ?

**The Honourable Chaudhri Sir Chhotu Ram :** The whole question of unemployment will be carefully examined by the Unemployment Committee. Distinctions of caste or creed in the matter of unemployment are hardly desirable.

REMISSIONS OF *TAQAVI* LOANS TO *Achhuts*.

**\*1150. Seth Kishan Dass :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether his attention has been invited to the fact that in many districts of the Punjab like Hissar, Rohtak, Gurgaon, Karnal, Ambala, Sheikhpura, Jhelum, Rawalpindi, Attock, Mianwali, Multan and Muzaffargarh, *taqavi* loans have been remitted to a great extent ;

- (b) whether it is a fact that remissions of *taqavi* loans have not been granted so far to the *Achhuts* living in the Jullundur and Hoshiarpur districts ; if so, the action Government intend to take in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) It is not clear to which particular year or years the honourable member is referring. The Punjab Government has however been always liberal in granting remissions, when works fail for causes beyond the control of the borrowers, or when recovery in full is considered likely to occasion serious hardship.

- (b) As no *taccavi* loans have been granted to the *Achhuts* living in the districts of Jullundur and Hoshiarpur, the question of remission does not arise.

MOTOR TRAFFIC ON *HOSHIARPUR-TANDA ROAD*.

**\*1151. Seth Kishan Dass :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that there is a good deal of motor traffic on the Hoshiarpur-Tanda road ;
- (b) if the answer to (a) above be in the affirmative, whether it is proposed to metal this road ; if so, when ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) No, the motor traffic on the road is not heavy. It is reported that only six lorries run daily either way of the road. No private cars run at present, except those of the occasional touring officers.

- (b) Does not arise.

## CHO IN THE HOSHIARPUR DISTRICT.

**\*1152. Seth Kishan Dass :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that on account of the cho (hill-torrent) the people of Hoshiarpur suffer heavily every year ;
- (b) the total area under cultivation in the said district and the area exposed to the cho action ;
- (c) whether the Government intends to take necessary steps to protect the crops of the Hoshiarpur district from the damage done to them by the cho action every year ; if so, when ?

**The Honourable Dr. Sir Sundar Singh Majithia :** The attention of the honourable member is invited to the answer given to Assembly question No. \*59<sup>1</sup> during the last Assembly session.

## ACHHUTS IN THE IRRIGATION AND REVENUE DEPARTMENTS.

**\*1153. Seth Kishan Dass :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the number of employees communitywise in the Irrigation and Revenue Departments ;
- (b) whether the Government intends to give adequate representation in the said departments to the *Achhuts*, if so, how ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) 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 as it stood on 1st January, 1937.

(b) Provided suitable *Achhut* candidates are forthcoming Government is always ready to consider their claims.

## UNEMPLOYMENT.

**\*1154. Seth Kishan Dass :** Will the Honourable Minister of Development be pleased to state the number of those unemployed persons who have studied up to middle or matric ; if so, whether the Government has any scheme under consideration for giving them employment ?

**The Honourable Chaudhri Sir Chhotu Ram :** Government have no such statistics. They have at present nothing to add to the answer given to question No. \*102<sup>2</sup> asked in the last Simla session, except that the Unemployment Committee mentioned therein is now at work.

<sup>1</sup>Volume I, pages 355-56.

<sup>2</sup>Volume I, pages 1214-15.

PANCHAYATS AND THE *Achhuts*.

**\*1155. Seth Kishan Dass :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether there are any panchayats in the Hoshiarpur and Jullundur districts ; if so, their number and the number of their members communitywise ;
- (b) whether there are any members on those panchayats who belong to the *Achhut* communities ; if so, their proportion, in case there is no such member the reason for the same ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) A statement giving the required information is attached.

(b) No members of the *Achhut* community were elected to any of the panchayats in the Hoshiarpur and Jullundur districts as they did not have the required qualifications prescribed by rules for election to panchayats.

*Statement showing the number of panchayats and number of members in the Hoshiarpur and Jullundur districts.*

District.	Number of panchayats.	NUMBER OF MEMBERS COMMUNITY-WISE.			
		Muslims.	Hindus.	Sikhs.	Total.
Hoshiarpur ..	61	59	71	81	211
Jullundur ..	39	38	12	79	129

NOTE.—In four panchayats in the Jullundur district elections have not yet taken place.

GOVERNMENT SCHOOLS IN JULLUNDUR DIVISION AND THE *ACHHUTS*.

**\*1156. Seth Kishan Dass :** Will the Honourable Minister for Education be pleased to state—

- (a) the total number of head masters and teachers of Government high schools in the Jullundur division who teach English or Urdu ;
- (b) whether there are any teachers belonging to *Achhut* communities with the requisite qualifications to teach English or Urdu in Government high schools in the Jullundur division ;
- (c) if the answer to part (b) be in the affirmative, the steps the Government proposes to take to give the *Achhuts* their due share on the staffs of the schools in the above-named division ?

**The Honourable Mian Abdul Haye :** (a) 164.

(b) Yes, one.

(c) The policy of Government was stated by the Honourable Finance Member in a debate in the Legislative Council on the 19th of July, 1927. This is still the policy of Government and Government continue to carry out the requirements of the formula contained in the said statement of policy.

## DISTRICT BOARDS, HOSHIARPUR AND JULLUNDUR AND THE ACHHUTS.

**\*1157. Seth Kishan Dass :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the financial position of the district boards of Hoshiarpur and Jullundur ;
- (b) the amount of professional tax realized from each community in these district boards ;
- (c) whether any sum out of this amount has been spent for the benefit of the *Achhuts* so far ; if so, in what manner ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) Reference is invited to appendix I of the annual report on the working of district boards in the Punjab for the year 1935-36, copies of which are available in the Assembly Library.

(b) A statement giving the required information in respect of Hoshiarpur district board is laid on the table. Information regarding the Jullundur district board is not available.

(c) No sum out of this amount has been set apart for expenditure for the benefit of *Achhuts* alone. The district board of Jullundur, however, allows full tuition fee concession, to the boys of the depressed classes, in the primary department of its schools, and has resolved to extend this concession to such boys in its secondary schools as well.

## Statement.

Community.	District Board, Hoshiarpur.	District Board, Jullundur.
	Rs.	Rs.
Muslims .. .. .	5,218	} The amount realised from each community is not available.
Sikhs .. .. .	7,840	
Hindus and others .. .. .	25,127	
Total .. .. .	38,185	50,028

## ACHHUTS IN THE PROVINCIAL CIVIL SERVICE.

**\*1158. Seth Kishan Dass :** Will the Honourable Premier be pleased to state whether it is a fact that the *Achhuts* are not represented in any branch of the Provincial Civil Service ; if so, whether the Government intends to give them their due share in this service ?

**The Honourable Major Sir Sikandar Hyat-Khan :** It is correct that at present there are no members of the scheduled castes in the Provincial Civil Service, but there is no bar to their entry if suitable candidates

are forthcoming. The policy of Government in regard to admissions to the public services was explained in a statement made by the then Finance Member in a debate in the old Legislative Council on the 19th July, 1927, to which the honourable member is invited to refer.

#### ACHHUTS IN THE PUBLIC WORKS DEPARTMENT.

**\*1159. Seth Kishan Dass :** Will the Honourable Minister for Public Works be pleased to state whether it is a fact that the *Achhuts* are unrepresented or inadequately represented in the Public Works Department ; if so, the steps the Government proposes to take to give them their due share in this department ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** I regret that the answer to this question is not yet ready.

#### ACHHUTS IN FOREST DEPARTMENT.

**\*1160. Seth Kishan Dass :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that the *Achhuts* are unrepresented or inadequately represented in the Forest Department ; if so, the steps the Government proposes to take to give them their due share of the posts in the above-mentioned department ?

**The Honourable Dr. Sir Sundar Singh Majithia :** As *Achhuts* are not specially classified in the returns maintained by the Forest Department, I regret I am not in a position to supply the exact figures requested. There is, however, nothing in the rules to prevent the employment of qualified Punjabis whatever their caste or creed.

#### ACHHUTS IN OFFICES UNDER THE HIGH COURT.

**\*1161. Seth Kishan Dass :** Will the Honourable Finance Minister be pleased to state whether it is a fact that there are very few *Achhuts* among the clerical establishment of the offices under the control of the High Court ; if so, the steps the Government proposes to take to invite the attention of Honourable the Chief Justice to this inadequate representation of the *Achhut* communities in the offices under his control ?

**The Honourable Mr. Manohar Lal :** Perhaps by the term *Achhut* the honourable member means members of the depressed classes and if so the information asked for in the first portion is as under—

High Court	..	..	..	..	8
Subordinate Courts	..	..	..	..	1

If candidates from depressed classes possessing required qualifications under the rules present themselves, their claims will be duly considered.

#### ACHHUTS IN PUNJAB CIVIL SECRETARIAT.

**\*1162. Seth Kishan Dass :** Will the Honourable Premier be pleased to state—

- (a) the communitywise percentage of employees in the Punjab Civil Secretariat ;

[Seth Kishan Dass.]

- (b) whether it is a fact that there are no persons belonging to the *Achhut* communities on the staff of the Punjab Civil Secretariat; if so, the steps the Government proposes to take to give them an adequate representation in the Punjab Civil Secretariat establishment?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) The information is available in the consolidated statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government, copies of which are distributed to honourable members annually.

(b) There are no persons belonging to the scheduled castes at present employed in the ministerial establishment of the Civil Secretariat. If suitably qualified candidates are available their legitimate claims will not be ignored,

#### ACHHUTS IN REVENUE DEPARTMENT.

**\*1163. Seth Kishan Dass :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that the *Achhuts* are unrepresented or inadequately represented in the Revenue Department; if so, the steps the Government proposes to take to give them proper representation in this department?

**The Honourable Dr. Sir Sundar Singh Majithia :** I regret that complete information in regard to the representation of the "*Achhuts*" in the Revenue Department is not readily available, but efforts will be made to rectify any existing disparity when fresh recruitment are made, provided suitable candidates are forthcoming.

#### ACHHUTS IN THE GOVERNMENT INFORMATION BUREAU.

**\*1164. Seth Kishan Dass :** Will the Honourable Premier be pleased to state—

- (a) the number of Hindus, Muslims, Sikhs and others, respectively, in the office of the Director of Information Bureau;
- (b) whether it is a fact that there are no *Achhuts* or very few among the employees of the said office; if so, the steps the Government proposes to take to give them proper representation in that office?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) *Superior establishment*—

Hindus 3, Muslims 6, and Sikh 1.

*Inferior and menial establishment*—

Hindus 2, Muslims 5 and *Achhut* 1.

(b) Yes. If a suitable *Achhut* is available for any post falling vacant in this office, his case will certainly be considered.

ACHHUTS IN PUNJAB GOVERNMENT PRINTING.

**\*1165. Seth Kishan Dass :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the percentage of Hindus, Muslims, Sikhs and others, respectively, in the Punjab Government Printing ;
- (b) whether it is a fact that the *Achhuts* are unrepresented or inadequately represented in the above-mentioned department ;
- (c) if so, the steps the Government proposes to take to give them proper representation in that department ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Attention of the honourable member is invited to pages 9-10 of the consolidated statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on the 1st January, 1937.

(b) Six *Achhuts* are at present employed in the Printing Department.

(c) If candidates from depressed classes possessing required qualifications under the rules present themselves their claim will be duly considered and any inequalities in representation found anywhere will, so far as is possible, be removed.

ACHHUTS IN RURAL RECONSTRUCTION DEPARTMENT.

**\*1166. Seth Kishan Dass :** Will the Honourable Minister of Development be pleased to state—

- (a) the percentage of Hindus, Muslims, Sikhs and others, respectively, in the Rural Reconstruction department ;
- (b) whether it is a fact that *Achhuts* are unrepresented or inadequately represented in the above-mentioned department ;
- (c) if the answer to (b) above be in the affirmative, the steps the Government proposes to take to give them proper representation in that department ?

**The Honourable Chaudhri Sir Chhotu Ram :** (a)—

	Per cent.				
Hindus	..	..	..	..	20.0
Muslims	..	..	..	..	66.6
Sikhs ..	..	..	..	..	6.7
Others	..	..	..	..	6.7

(b) Yes.

(c) The total number of all officials in this office from the personal assistant down to the junior clerk is only 15. It is not practicable to maintain precise communal proportions to which Hindus, Muslims, Sikhs and others may consider themselves entitled, in a small office like that of the Commissioner, Rural Reconstruction. The claims of any suitably qualified *Achhuts* would, however, receive sympathetic consideration when vacancies occur next.

## ACHHUTS IN FINANCIAL COMMISSIONERS' OFFICE.

**\*1167. Seth Kishan Dass :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the percentage of Hindus, Muslims, Sikhs and others, respectively, in the office of the Financial Commissioners ;
- (b) whether it is a fact that the *Achhuts* are unrepresented or inadequately represented in that office ; if so, the steps the Government proposes to take to give them proper representation ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a)—

					<i>Per cent.</i>
Hindus	..	..	..	..	38·7
Muslims	..	..	..	..	41·4
Sikhs ..	..	..	..	..	11·7
Others	..	..	..	..	8·2

(b) No application has so far been received from any member of the depressed classes for work in the office of the Financial Commissioners. As and when suitable candidates present themselves for employment their claims will certainly be considered along with others.

## ACHHUTS IN THE OFFICE OF DIRECTOR OF LAND RECORDS.

**\*1168. Seth Kishan Dass :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the percentage of Hindus, Muslims, Sikhs and others separately in the office of the Director of Land Records ;
- (b) whether it is a fact that the *Achhuts* are unrepresented or inadequately represented in the above-named office ; if so, the steps the Government proposes to take to give them proper representation ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a)—

				<i>Clerks.</i>	<i>Menials.</i>
Hindus	..	..	..	39·2	50·0
Muslims	..	..	..	47·8	30·0
Sikhs ..	..	..	..	13·0	20·0
Others	..	..	..	<i>Nil.</i>	<i>Nil.</i>

(b) No " Achhut " has so far applied for appointment in the office of the Director of Land Records. An effort will be made to rectify the existing disparity in the representation of " Achhuts " when fresh recruitments are made, provided suitable candidates are forthcoming.

## ACHHUTS IN BUILDINGS AND ROADS BRANCH.

**\*1169. Seth Kishan Dass :** Will the Honourable Minister of Public Works be pleased to state—

- (a) the percentage of Hindus, Muslims, Sikhs and others separately in the Buildings and Roads Branch of the Public Works Department ;

- (b) whether it is a fact that the *Achhuts* are unrepresented or inadequately represented in the above-named branch ; if so, the steps the Government proposes to take to give them proper representation ?

**The Honourable Major Nawabzada Malak Khizar Hayat Khan Tiwana :** I regret the answer to this question is not yet ready.

#### ACHHUTS IN EXCISE DEPARTMENT.

**\*1170. Seth Kishan Dass :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the percentage of Hindus, Muslims, Sikhs and others separately in the Excise Department ;
- (b) whether it is a fact that the *Achhuts* are unrepresented or inadequately represented in the above-mentioned department ; if so, the steps the Government proposes to take to give them proper representation ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) The percentage of representation of the various communities serving in the Excise Department is as below :—

Muslims	..	..	..	..	41·2
Hindus	..	..	..	..	40·6
Sikhs ..	..	..	..	..	15·9
Others	..	..	..	..	2·3

(b) Yes. But there is no bar in principle to the appointment of suitably qualified *Achhuts*, and if suitable candidates offer themselves when appointments are made their names will be duly considered along with others.

#### ACHHUTS IN EDUCATION DEPARTMENT.

**\*1171. Seth Kishan Dass :** Will the Honourable Minister of Education be pleased to state—

- (a) the percentage of Hindus, Muslims, Sikhs and others separately in the Education Department ;
- (b) whether it is a fact that the *Achhuts* are inadequately represented in that department ; if so, the steps the Government proposes to take to make up their deficiency ?

**The Honourable Mian Abdul Haye :** The honourable member is referred to the latest consolidated statement showing the proportionate representation of the various communities in the Education Department, Punjab. The policy of Government was stated by the Honourable Finance Member in a debate in the Legislative Council on the 19th of July, 1927. This is still the policy of Government and Government continue to carry out the requirements of the formula contained in the said statement of policy.

## UNSTARRED QUESTIONS AND ANSWERS.

## PUNITIVE POLICE POST AT JAHMAN.

**245. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state when final reply to starred question No. 84 regarding Additional Police Post, Jahman, district Lahore, put by me on 21st June, 1937, may be expected and whether any decision has since been arrived at by the Government regarding the claim of refund put forward by the inhabitants of the village referred in that question ?

**The Honourable Major Sir Sikander Hyat-Khan :** The honourable member is invited to refer to part (c) of the reply to question \*34<sup>1</sup>. Government are not prepared to reopen this old case at this stage.

## COGNIZABLE OFFENCES REGISTERED BY POLICE STATION, BEAS.

**246. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

- (a) the number of reports of the cognizable offences including those committed within Chananki zail, registered at police station Beas, district Amritsar, between (i) 17th February, 1936, and 16th February, 1937, and (ii) between 17th February, 1937, and 30th November, 1937, separately ;
- (b) the strength of the police force stationed at this police station during the aforesaid period ;
- (c) the amount spent by the Government to maintain the aforesaid police force for the period mentioned in (a) ;
- (d) the names and numbers of the sub-inspectors, assistant sub-inspectors and head constables who investigated the cases referred to above and the number of the cases investigated by each of them during the aforesaid period ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a)—

From 17th February, 1936, to 16th February, 1937 ..	180
From 17th February, 1937, to 30th November, 1937 ..	153

(b) 1 sub-inspector, 1 assistant sub-inspector, 1 head constable and 12 foot constables.

(c) Rs. 15,927-15-0.

(d) It is not the practice to give names.

## ARREST OF DULLU FOR REVENUE ARREARS.

**247. Dr. Sant Ram Seth :** With reference to starred question No. 6015<sup>2</sup> put by Sardar Jawahar Singh Dhillon on 30th October, 1936, and the reply thereto, will the Honourable Minister of Revenue be pleased to state, whether the inquiry on the last part of the reply has since been completed, if so, the number of persons found at fault and the action taken by the Government against each of them ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes. The patwari candidate in charge of the circle was reduced by six places and the lambardar was suspended for a period of 6 months.

<sup>1</sup>Volume I, page 323.

<sup>2</sup>Vol. XXIX, pages 284-85.

## PUNITIVE POLICE POST AT DHARDEO.

**248. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to lay on the table a statement showing —

- the number and the names of the police constables, head constables and the assistant sub-inspectors of Dhardeo additional police post who went on sick or casual leave between the 17th February, 1936, and 16th February, 1937 ;
- time for which each one of them remained on leave, etc., during the aforesaid period ;
- the names of the constables, head constables and assistant sub-inspectors who were sent from the district headquarters to fill up the temporary vacancies and the period for which each of them served in the Additional Police Post, Dhardeo ;
- the cognizable offences registered at Beas police station that were committed within the boundary of Dhardeo from 16th February, 1936, to 30th November, 1937, and the number of persons convicted on being found guilty ;
- the amount which each of the police officers referred in (c) received as allowances, salary, etc., along with the rate of his monthly pay ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) and (b) No officer and men of this post proceeded on sick leave during the period from the 17th February, 1936, to the 16th February, 1937, but the following were granted casual leave :—

	From	To	Period.
One assistant sub-inspector ..	13th May, 1936 ..	19th May, 1936 ..	7 days.
One head constable ..	27th July, 1936 ..	2nd August, 1936 ..	7 days.
One foot constable ..	9th September, 1936 ..	11th September, 1936 ..	3 days.
One foot constable ..	11th April, 1936 ..	13th April, 1936 ..	3 days.
One foot constable ..	1st October, 1936 ..	10th October, 1936 ..	10 days.
One foot constable ..	10th July, 1936 ..	12th July, 1936 ..	3 days.
One foot constable ..	23rd June, 1936 ..	24th June, 1936 ..	2 days.

(c) As no officer proceeded on sick leave, the question of replacements did not arise. (The instructions on this subject will be found in Rules 2·22 (2) and 17·16 of the Punjab Police Rules).

- First Information Report, No. 16/36, dated the 23rd February, 1936, under section 457, Indian Penal Code. .. Untraced.
- First Information Report No. 128/36, dated the 1st September, 1936, under section 379, Indian Penal Code .. Cancelled.
- First Information Report No. 7/37, dated the 23rd January, 1937, under section 17 of the Restriction of Habitual Offenders (Punjab) Act, 1918 .. Accused discharged.
- First Information Report No. 67/37, dated the 3rd June, 1937, under section 457, Indian Penal Code .. One accused sentenced to one year's rigorous imprisonment.

(e) Does not arise.

## LAHORE DISTRICT BOARD CONSTITUENCIES.

**249. Dr. Sant Ram Seth :** Will the Honourable Minister of Public Works be pleased to state whether it is a fact that there is marked difference between the population and the number of voters in the different constituencies comprising the Lahore District Board, if so, whether he intends to take steps to remove the difference, if so, what and when ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** Yes. The matter is under consideration.

## PUNITIVE POLICE POST AT SAHARI HARDO.

**250. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to lay on the table a statement showing—

- (a) the dates when the recovery of the costs of the additional police post at village Sahari Hardo, tahsil Kasur, district Lahore, was commenced for the year 1922-23, 1923-24, 1924-25, 1925-26 and 1928-29, respectively ;
- (b) the amount assessed for each year mentioned in (a) above ;
- (c) the amount recovered each year by the end of March, 1923, March, 1924, March, 1925, March, 1926 and March, 1929 ;
- (d) the amount recovered between April, 1929, and December, 1929 ;
- (e) the amount recovered from January, 1930, to March, 1937 ?

**The Honourable Major Sir Sikander Hyat-Khan :** I regret that the answer to this question is not yet ready.

## PUNITIVE POLICE POST AT SAHARI HARDO.

**251. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state whether it is a fact or not that according to the entries in vernacular recovery file, Rs. 9,023 were assessed and recovered per annum for the period of 3 successive years as costs of the additional police post located at village Sahari Hardo, district Lahore, in 1922 ?

**The Honourable Major Sir Sikander Hyat-Khan :** I regret that the answer to this question is not yet ready.

## COSTS OF ADDITIONAL POLICE POST LOCATED AT VILLAGES CHEEMA, ASAL AUTAR AND OTHERS.

**252. Mian Muhammad Iftikhar-ud-Din :** Will the Honourable Premier be pleased to state—

- (a) whether he received a letter No. 26, dated the 19th October, 1937, from Dr. Sant Ram Seth, M. L. A. (Amritsar), regarding the refund of costs of additional police post located on the 1st April, 1928, at villages Cheema, Asal Autar and Rattoki, district Lahore ;
- (b) if the answer to (a) above be in the affirmative, whether he is prepared to lay on the table the said letter along with the statement of costs attached therewith ;
- (c) whether any inquiry was made by the Government about the matter referred to in the aforesaid letter ; if so, with what result ;

(d) whether the furniture purchased for the aforesaid Additional Police Post was taken to the district police headquarters without paying any compensation to the inhabitants of the said villages ;

(e) if the answer to (d) above be in the affirmative, the authority under which the furniture was taken to the district police headquarters without paying compensation to the inhabitants of the said villages and whether the Government proposes to refund the price of the same ;

(f) the items of the costs which were taken into consideration while estimating the actual expenditure of the said Police Post ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) Yes.

(b) A copy of the letter and its enclosure is appended.

(c) The essential facts being already known, no inquiry was necessary.

(d) and (e) Yes. This is the usual practice. The profit that accrues may be regarded as counter-balancing to some small extent the expenditure on equipment which is not included in the calculated costs. Government are not prepared to consider any question of a refund.

(f) The actual outgoings, excluding cost of superintendence and similar charges, totalled Rs. 18,252-6-0, made up as follows :—

	Rs.	A.	P.
Pay of establishment .. .. .	12,056	3	0
Clothing and equipment .. .. .	2,175	0	0
Contingencies .. .. .	551	4	0
Pensionary charges .. .. .	1,929	12	0
Hutting .. .. .	781	0	0
Cost of bicycles .. .. .	465	0	0
Conveyance allowance .. .. .	294	3	0

*Copy of a letter No. 26, dated 19th October, 1937, from Dr. Sant Ram Seth, M.L.A., to the Honourable Premier, Government, Punjab, Lahore.*

I have the honour to bring the following facts to your notice for favour of consideration :—

(1) After making a personal enquiry about the actual costs of the Police Post located at villages Cheema, Asal Autar and Rattoki in Lahore District I have come to know that like Rajoki Wan Police Post less than the sanctioned force was posted there. This fact is further confirmed when one comes to know that the Government as stated by the Finance Member of the old Government during the autumn session of 1936 decided to remit the unrecovered part of the amount assessed in 1933 ; what to say of the outstanding balance as put down in the statement laid on the assembly table in answer to Question No. 30<sup>1</sup> during last session of the Punjab Legislative Assembly.

(2) This police post was located on the same date as that of Rajoki Wan referred in my letter No. 25, dated 19th October, 1937. Therefore its costs must be regulated by the same rules as those of Rajoki Wan. From the statement of costs attached herewith you will find that there is a great difference between the actual costs and the recovery. Undoubtedly here too the amount has been realised in excess of the amount actually spent by the Government. As there were no rules in existence between 1923 and 1934 authorising the Government to charge any amount for superintendence interest, preliminary training of men, armament charges, the inhabitants of these villages cannot be called upon to pay even a single pie at this later period under these circumstances. I would request you

[Premier.]

to look into the matter and see that the amount realised in excess is refunded to the rightful persons. From the statement of costs attached herewith you will find that according to my enquiry Rs. \_\_\_\_\_ have been realised in excess.

I think I am writing this letter to you in time and I have every reason to believe that this time this case of mine will not be put in the category of old and time-barred cases. I hope this time you will not accuse me of digging up old graves as these cases are new ones.

*Statement of costs and recovery of Additional Police Post, Asa, Rattoki and Cheema.*

	1928-29.	1929-30.
	Rs. A. P.	Rs. A. P.
1. Salary of the Sub-Inspector of Police ..	480 0 0	960 0 0
2. Salary of Head Constables .. ..	1,116 0 0	744 0 0
3. Salary of Constables .. ..	3,268 0 0	2,736 0 0
Total of the salary ..	4,864 0 0	4,440 0 0
4. Pension and leave contribution ..	1,216 0 0	1,110 0 0
5. Contingency .. ..	500 0 0	300 0 0
6. Conveyance allowance of the Sub-Inspector of Police.	180 0 0	360 0 0
7. Uniform allowance of the Sub-Inspector of Police.	12 8 0	25 0 0
8. Uniform allowances of the Head Constables and Constables.	277 0 0	225 0 0
9. Equipment charges .. ..	124 8 0	80 0 0
10. House-rent .. ..	300 0 0	300 0 0
11. Initial charges .. ..	500 0 0	..
Total of costs ..	7,974 0 0	6,865 0 0
Grand total of recovery ..	17,804 14 0	..
Grand total of costs ..	14,809 0 0	..
Recovery in excess .. ..	2,996 14 0	..

1. The pay of the sub-inspector, police, has been counted at the rate of Rs. 80 per month for 6 months in 1928-29 and for 12 months in 1929-30.

2. The pay of the 3 head constables has been counted at the rate of Rs. 31 per mensem per head in 1928-29 for 12 months, but in 1929-30 pay of two Head Constables has been counted at the same rates, for full year.

3. The pay of the 20 constables has been counted for 3 months in the 1st year at the rate of Rs. 17-8-0 per head per mensem. In the 2nd quarter of the 1st year the pay of 16 constables has been counted at the same rate. For the rest of the half year the pay of 6 constables has been counted at Rs. 17 per head per mensem and those of the remaining 7 at Rs. 18 per mensem per head. In the 2nd year pay of 13 constables has been counted at the rate of Rs. 18 per mensem per head of 7 senior constables and Rs. 17 per mensem per head of 6 junior constables.

4. Uniform allowances have been counted at Rs. 15 per annum per head in proportion to the period of service of each of the head constables and constables.

## GAZETTED OFFICERS POSTED TO THEIR HOME DISTRICTS.

**253. Mian Muhammad Iftikhar-ud-Din :** Will the Honourable Premier be pleased to state—

- (a) whether the Government is prepared to lay on the table of the House the list of all the gazetted officers working in their home districts at present ;
- (b) whether the Government intends to take any action to post them in districts other than their home districts ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) The necessary information can be collected from the History of Services of Gazetted Officers, a copy of which is in the Assembly Library.

(b) There are no rules or orders which debar Government from posting gazetted Government servants to their home districts, but the policy of Government has been to avoid doing this unless there are special reasons for it.

## POLICE BAND.

**254. Mian Muhammad Iftikhar-ud-Din :** Will the Honourable Premier be pleased to state—

- (a) whether the Government is prepared to lay on the table of the House a statement showing the number of police bands in the Punjab, their annual expenses and the duties they perform ;
- (b) whether it is a fact that these bands are taught mainly English music and their services are often lent to the European Officers Clubs ; if so, reasons for the same, and whether the Government intends to take any action to relieve the provincial exchequer of the burden of their expenditure ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) and (b) There is only one Police Band in the province, with its headquarters in Lahore. The strength is one Inspector (Bandmaster), 6 Head Constables and 27 Constables. The members of the band are fully trained police officers, liable to be called on at any time to act as such. They are in addition trained especially in first aid work and as stretcher-bearers. So far as expenditure from provincial revenues is concerned they receive only the pay of their rank and the ordinary allowances admissible to men of the Lahore District Police. The total expenditure from provincial revenues in the financial year 1936-37 was Rs. 14,895-13-0. A statement is appended giving the detail of this expenditure. For the rest, the cost of the band is defrayed from a special fund comprising contributions from officers in the service, receipts from band engagements and a few other donations. The members of the band receive certain fixed allowances out of this fund, as well as a share of the profits from engagements. The total expenditure from the fund in 1936-37 including these payments to the bandmaster and bandsmen, was Rs. 17,689-4-0.

The band is trained in English music, but many of its private engagements are in connection with Indian social functions. It has occasional engagements with European Clubs, which pay at the same rates as other persons who apply for its services.

[Premier.]

*Expenditure on the Police Band from Provincial Revenues—Financial year 1936-37.*

	Rs.	A.	P.
1. Pay of Establishment—			
1 Inspector, pay at Rs. 227-8-0 for five months and at Rs. 265 for seven months.	(1,137	8	0
6 Head Constables—	(1,853	0	0
1 at Rs. 38 a month .. .. .	456	0	0
2 at Rs. 37 each a month .. .. .	888	0	0
2 at Rs. 31 a month each .. .. .	744	0	0
1 at Rs. 30 a month .. .. .	360	0	0
Total .. .. .	2,448	0	0
27 Foot Constables—	Rs.	A.	P.
3 Foot Constables at Rs. 22 a month .. .. .	792	0	0
2 Foot Constables at Rs. 21 a month .. .. .	504	0	0
9 Foot Constables at Rs. 20 a month .. .. .	2,160	0	0
2 Foot Constables at Rs. 19 each .. .. .	456	0	0
5 Foot Constables at Rs. 18 each .. .. .	1,080	0	0
6 Foot Constables at Rs. 17 each .. .. .	1,224	0	0
Total .. .. .	6,216	0	0
2. Fixed conveyance allowance of Bandmaster at Rs. 15 a month .. .. .	180	0	0
3. Travelling allowance for journeys to Phillaur and Multan .. .. .	371	8	0
4. House Rent Allowance of Head Constables and Foot Constables .. .. .	118	11	0
5. Local Allowance of Head Constables and Foot Constables .. .. .	1,934	4	0
6. Clothing and equipment actually issued .. .. .	309	0	0
7. Contract contingencies (cost of Band instruments) .. .. .	325	14	0
Total .. .. .	14,895	13	0

## SHORT NOTICE QUESTION.

**Lala Deshbandhu Gupta :** On a point of order, Mr. Speaker. I had given notice of a short notice question which has been disallowed by you.

3 P. M.

**Mr. Speaker :** Yes.

**Lala Deshbandhu Gupta :** I only wish to—

**Mr. Speaker :** No appeal can be made to the Chair by a question save on points of order.

## RESOLUTION.

## REPAIRS TO BADSHAHI MOSQUE, LAHORE.

**Premier** (The Honourable Major Sir Sikander Hyat-Khan) : Sir, I beg to move—

That this House views with approval the proposal to raise an endowment fund for the repairs and maintenance of the Badshahi Mosque, Lahore, an important monument of great historical and archaeological value in a manner worthy of the principal place of Mussalman worship in the province and recommends that Government should, if it considers necessary, undertake legislation for the imposition of a cess of one pice per rupee on all land revenue paid by Muslims in the province for not more than two harvests.

**Pandit Muni Lal Kalia :** On a point of order, Sir. The monument, according to the words of the honourable mover of the resolution, is mentioned as of great historical and archaeological value. Section 100 (1) of the Government of India Act, 1935, runs as follows :—

- (1) Notwithstanding anything in the two next succeeding sub-sections, the Federal Legislature has, and a Provincial Legislature has not, power to make laws with respect to any of the matters enumerated in List I in the Seventh Schedule to this Act, (hereinafter called the "Federal Legislative List."

I would now refer you to item No. 15 of the Seventh Schedule to the Government of India Act which is as follows :—

15. Ancient and historical monuments ; archaeological sites and remains.

So you will see that this is included there. I would now refer you to item No. 59 of the Seventh Schedule to the Government of India Act which runs thus—

59. Fees in respect of any of the matters in this list, but not including fees taken in any Court.

Now, this resolution, I believe, is to the effect that a certain amount of fees in the form of taxes be realised with respect to an important monument of great historical and archaeological value.

**Minister for Finance :** Is it a point of order ?

**Pandit Muni Lal Kalia :** The point of order is based on the belief that this resolution cannot be moved in this Legislature. It is the business of the Federal Assembly. Act No. 7 of 1904 relates to the preservation of ancient monuments and objects of archaeological, historical or artistic interest. It does not seem at all necessary that I should take the valuable time of this august House in pointing out the defects in the proposal at present before the House. According to that section it is for the Government of India to move in the matter. There are conditions given in that Act according to which any section of community, any group of persons or any person can move the Government that such and such a building may be regarded or taken as a protected monument. This resolution, as it is at present moved, is in contravention of the letter and spirit of the Act. The preamble to that Act runs as follows :—

Whereas it is expedient to provide for the preservation of ancient monuments, for the exercise of control over traffic in antiquities and over excavation in certain places, and for the protection and acquisition in certain cases of ancient monuments and of objects of archaeological, historical or artistic interest ; it is hereby enacted as follows.

May I know from the honourable mover of this resolution whether it does not fall within the preamble to this Act relating to the preservation of ancient monuments and for the exercise of control ? In that Act the word "maintain" is also defined in sub-paragraph (4) of section 2. It is as follows :—

2. (4) "maintain" and "maintenance" include the fencing, covering in, repairing, restoring and cleansing of a protected monument, and the doing of any act which may be necessary for the purpose of maintaining a protected monument or of securing convenient access thereto.

My submission is that it is for the Muslims of the Punjab, if they feel that there is necessity for protection of the Badshahi Mosque, to move the Government of India under the Ancient Monuments Preservation Act, 1904, to have it declared as a monument, i.e., taken under that Act. As a matter of fact, this legislature, under the present distribution of powers, has no hand

[Pandit Muni Lal Kalia.]

in either passing a resolution to the effect that endowment be raised or that steps be taken to maintain that historical building. I would now refer you to section 9 of the Ancient Monuments Preservation Act, 1904, which relates to the application of endowment to repair of an ancient monument. I would quote a portion of this section which is as follows :—

9. (1) If any owner or other person competent to enter into an agreement under section 5 for the preservation of a protected monument, refuses or fails to enter into such an agreement when proposed to him by the Collector, and if any endowment has been created for the purpose of keeping such monument in repair, or for that purpose among others, the Collector may institute a suit in the Court of the District Judge.....

Here is the procedure given as to how the proposal should come from either of the persons who are now in authority for the maintenance or custody of the mosque if no agreement is already in existence. It is really surprising that in the presence of so clear distribution of powers between the Central Government and a Provincial Government, a resolution of this nature should have come. I do appreciate and realise the demand made by the Treasury benches in this resolution in order to get that power through a statute by putting it up with these words :—

If it considers necessary, undertake legislation for the imposition of a cess of one pice per rupee on all land revenue paid by Muslims in the Province for not more than two harvests.

In order that I may not again take the time of the House for that purpose, I submit that I do realise that this has been included in view of the fact that no other taxation can be imposed by this Legislature except the tax on agricultural income as it is given in the resolution.

Under this list 1 of the Legislative List, Schedule 7, item No. 54, a provincial legislature cannot impose tax on income other than agricultural income. For that purpose this provision has been made. There are certain amendments coming forward to the effect that Muslim Government servants of the province should be taxed. No such question can be raised in view of item No. 54.

**Mr. Speaker :** I have attentively heard the honourable member. The honourable member's objection is premature and cannot be raised unless the objectionable legislation is actually moved.

**Pandit Muni Lal Kalia :** In view of the remarks made by you just now my submission is that this resolution, as just explained by you, relates to legislation which is not within the power of the House.

**Mr. Speaker :** I said nothing of the sort.

**Pandit Muni Lal Kalia :** The present resolution is vague. It contains a certain statement which is *ultra vires* ; and as it is now worded it should be thrown out and a fresh resolution avoiding legal defects should be brought forward.

**Premier :** Sir, I have listened with very great interest the learned discourse of my honourable and learned friend opposite. I am afraid he is hopelessly off the rails. He is trying to anticipate something which might happen, but as you, Mr. Speaker, pointed out that contingency may not arise. Incidentally I may mention that this question of the legality of imposing a cess will certainly be considered by the Government and by its

legal advisers; and if it were advised that it is not within the purview of this Government to bring forward legislation imposing a cess of the kind suggested here, naturally that legislation would be *ultra vires* and it will not be possible to bring it before the House. He is trying to anticipate something which may not be necessary for the Government to do, because there are other ways of raising the fund; if we do not succeed in our efforts then and only then will it be necessary for us to consider whether it is desirable to bring in legislation. Incidentally, for the information of the honourable member I may refer him to item 34 of list 2 of Schedule VII of the Government of India Act. There he will find that there is such a thing as charitable endowment which is entirely a subject within the purview of this legislature. If we come to the conclusion that it is necessary to levy a cess or create a religious endowment we would be perfectly within our rights, our power and jurisdiction to do so under the provisions of the very Act which my learned and honourable friend opposite quoted. If he will refer to item 34 he will be satisfied. However, as I have said it is not necessary for us to consider that point at the moment. Later on, if the Government is advised by its legal advisers that legislation can be introduced we will come before the House, and the honourable member would then be welcome to raise his point of order.

As you are aware, Sir, the Badshahi Mosque is an important monument, not only from historical and archæological points of view, but it is the premier place of Muslim worship, and it behoves the Muslims of the province to see that it is kept in proper condition. Unfortunately the condition of the mosque, as some of my Muslim friends will bear me out, is in urgent need of repairs and extensive repairs too; and the position unfortunately is that unless something is done quickly an irretrievable damage might be done to that historical monument, and it is to avoid that calamity that I have brought forward this resolution.

I might for the information of the House point out that informal discussions took place between my predecessor, and later on between myself and some members of the Government of India, and we impressed upon the Government of India the necessity of contributing handsomely towards that fund for the repair and maintenance of this mosque. I am sure the House will be glad to learn that our efforts have not been in vain and the Government of India have very kindly consented to contribute handsomely towards the project, the purpose of which would be not only to carry out urgent and necessary repairs, but also to create an endowment fund for the better maintenance and upkeep of the mosque. But they have laid down certain conditions and those conditions I am sure the House will approve, as the Government has done. Those conditions are that this fund will be operated upon by a special committee set up for the purpose. The amount involved is very large and therefore it is necessary that the fund should be carefully husbanded and carefully spent and there will be no difficulty whatsoever in agreeing to that particular condition. The second condition which I suggested was that so far as organisation and control of worship and meetings was concerned the Muslims should have the fullest possible hand as they have now in the control of worship and organisation of meetings; and no extraneous body or individual should be allowed to interfere with the question of worship or conduct of meetings.

[Premier.]

Let me inform the House that the amount required for the repairs and maintenance is about 11 lakhs of rupees. As some members of the House may be aware attempts were made some time ago by the Anjuman-i-Islamia to raise funds, but unfortunately unsuccessfully. But as the result of the deliberation at Simla and informal consultations with the Government of India and some other people, we have been assured of a sum of 4 lakhs as a nucleus for that fund—8 lakhs to be contributed by the Government of India and one lakh through the munificence of His Exalted Highness the Nizam of Hyderabad. The Hyderabad Government has also promised a recurring grant of Rs. 3,000 per annum. That still leaves a balance of over 6 lakhs which is to be made good before we can start the scheme. One of the conditions placed by the Government of India was that we should raise this additional amount if possible by public subscriptions or, at any rate, give a guarantee to the Government of India that the balance would be forthcoming before they would be prepared to contribute their share of the fund, and it is for this reason that I have ventured to bring this motion before this House, not necessarily that we must inevitably undertake legislation for the imposition of a cess but in case this becomes necessary after we issue a public appeal. It is proposed to issue such an appeal over the signatures of leading gentlemen—I hope His Highness the Agha Khan would be prepared to lend his name to it—and I am almost certain that a major portion, if not all the remaining amount will be subscribed through the munificence of princes and other gentlemen. But if in spite of our efforts there is still a shortfall, then it is necessary to satisfy the condition laid down by the Government of India that we should be in a position to give them a guarantee that the balance would be forthcoming, if necessary, by levying a small cess. Let me make it quite clear that if by public subscriptions we get the extra 6 lakhs, then it would not be necessary to levy the cess. It is only in the eventuality of that amount falling short of about 6 lakhs that it would be necessary to impose a small cess to make up the amount, and it is for that reason that it appears necessary to bring this resolution before the House and to seek its support before I could give the assurance to the Government of India. I am sure that the House will agree with me that it would be unfortunate if we miss this opportunity and if we do not avail of this very generous offer made by the Government of India and His Exalted Highness the Nizam of Hyderabad, because such an opportunity may not arise again. I am almost certain that Muslims not only of the Punjab but throughout India would contribute freely and generously towards that fund when that appeal is issued. But if unfortunately we cannot get the whole amount through public subscriptions, then I am sure that the Punjabi Musalmans would be only too glad to do their bit to save this great and historical monument.

**Mr. Speaker :** Resolution moved is—

That this House views with approval the proposal to raise an endowment fund for the repairs and maintenance of the Badshahi Mosque, Lahore, an important monument of great historical and archaeological value in a manner worthy of the principal place of Mussalman worship in the province and recommends that Government should, if it considers necessary, undertake legislation for the imposition of a cess of one pice per rupee on all land revenue paid by Muslims in the province for not more than two harvests.

**Lala Bhim Sen Sachar :** Just a bit of information from the Honourable Premier. May I know whether under the law, approval or sanction of this House is necessary for the establishment of such an endowment fund ?

**Premier :** No. Government of India have now addressed us formally and before I can give them a formal reply giving them the assurance that the balance would be forthcoming, I naturally wanted the assurance of this House and the support of this House to this proposal. If the House now approves of the proposal to legislate or to impose a cess, if necessary, then I would tell the Government of India that the House would be prepared to legislate to that effect.

**Lala Bhim Sen Sachar :** What is the condition of the Government of India ?

**Premier :** That the balance would be forthcoming. It is expected that the entire balance of Rs. 6 lakhs would be forthcoming in two harvests. That is why I have stated that within the maximum period of two harvests the whole of that portion would be covered even if we do not get enough from subscriptions.

**Lala Bhim Sen Sachar :** May I ask the Honourable Premier to tell us as to what, in the case of an imposition of the proposed cess, will be the total collection ?

**Premier :** I have stated that within two harvests we ought to get 5 lakhs of rupees at least. We are going to issue a public appeal and we are hoping that most of the balance, if not all, would be subscribed. If there is a shortfall, then it will be necessary to impose the cess.

**Sardar Tara Singh** (Ferozepore South, Sikh, Rural) (*Punjabi*) : I only want to say this much that on this occasion not only the Mussalmans but the other communities should also help in raising the subscriptions. We should all help our Musalman brethren.

**Mr. K. L. Gauba** (Inner Lahore, Muhammadan, Urban) : Sir, I beg to move—

"That in lines 5—8 the words "and recommends that Government should, if it considers necessary, undertake legislation for the imposition of a cess of one pice per rupee on all land revenue paid by Muslims in the province for not more than two harvests" be deleted, and the following be substituted—

"and recommends to Government to make the necessary grants-in-aid without the levy of additional taxation or cess."

I do not think there will be two opinions as regards the necessity of repairs to this great, ancient and important monument. So far as that goes I think we are in entire agreement with everything that has fallen from the lips of the Honourable Premier on the subject. We are grateful to His Exalted Highness the Nizam of Hyderabad for a very generous contribution towards this very excellent object. But there are one or two aspects about this question upon which I think there will be some difference of opinion. In the first place comes the question of cess, in the second place there are certain facts which I think ought to be before the members of this House before they arrive at a decision in this matter.

This mosque is at present controlled by the Anjuman-i-Islamia. There was an agreement between the Secretary of State and the Anjuman-i-Islamia.

[Mr. K. L. Gauba.]

in 1925 when the control of this mosque was passed to the control of the Anjuman-i-Islamia. This agreement of 1925 is between the Secretary of State on the one hand and the Anjuman-i-Islamia on the other. Under this agreement—clause 1 (a)—I have got a copy of the agreement with me here—under this agreement, the Secretary of State is bound to carry out all the necessary repairs, to this monument. There is no question of favour, there is no question of generosity so far as the Government of India is concerned. The Secretary of State is bound under this agreement to carry out all the necessary repairs, whether the repairs cost 2 lakhs, whether the repairs cost 5 lakhs or whether they cost 11 lakhs. I do not quite understand, when the Secretary of State is bound to carry out all the repairs, why this magnanimous, this marvellous gesture, to the Muslim community by way of repairing this mosque. It was a dereliction of duty on their part, of their obligations under a contract, the contract of 1925. It was due to a breach of that contract that this mosque is now in its present condition. Any one who goes to that mosque may see its condition. It is clear on the face of it that so far as the Government of India is concerned, there has been a severe dereliction of duty and I can quite understand why the Government of India has not been carrying out its part of the contract. This mosque has for years been a thorn on the side of the Government, it is still a thorn on the side of the Government and this gesture—we will give you 3 lakhs—is mainly and solely to get control of this institution. I have with me a document which I will read to the House. Now the terms of the Government's offer to the Anjuman-i-Islamia are these. I think honourable members will be interested to hear them. One of the terms of their offer is that "the management"—I can quite follow their interest in the management—"of the building and the administration of the funds should be transferred from the Anjuman-i-Islamia to an *ad hoc* body over which a Muslim Minister of the Punjab Government might preside with, as his colleagues, a representative of the Government of India and a representative of the Muslim subscribers". Then, Sir, we have got another equally instructive and illuminating passage. "In the event of the above plans materialising it is proposed that the regulation of *worship and meetings* inside the mosque should be entrusted to a committee of 9 members, five to be selected by the Anjuman i-Islamia and four by the committee previously referred to responsible for the administration of funds and maintenance of the mosque". The real object of this grant or this endowment, is to constitute this committee of management, to supersede the agreement whereby the Secretary of State is obliged to carry out all the repairs, and to impose fresh taxation upon the Muslims, and, above all, to regulate and control Muslim opinion which has its centre in this principal place of Mussalman worship. Now, there is an amendment in the name of my honourable friend, Mian Abdul Aziz, who represents the civil station of Lahore. I happen to represent the constituency in which this great institution is situated. His amendment when it comes up, we shall consider. But he is also of my opinion, as it appears from his amendment. So far as this mosque is concerned, repair it by all means, but so far as any interference in its management is concerned that will be resented by every Muslim. So far as the cess is concerned, the Honourable Premier has not stated a word about it. What is the justification for the cess? No cess whatever is called for. After all if a lakh or two lakhs of rupees

is required over and above what His Exalted Highness the Nizam is prepared to contribute and over and above what the Government of India is bound to contribute under the terms of its agreement, it can be made available by a grant in aid at the proper time. No question arises of raising a cess at this stage. I am surprised how this proposal for a cess has originated in the minds of the members opposite. One hears very often in the Press that this is an agriculturist Government, this is a Muslim Government. The very persons they want to tax are the Muslim agriculturists.

**Premier :** Charity begins at home.

**Mr. K. L. Gauba :** I say it is absolutely unnecessary, unwanted and not required at all in the circumstances. With these remarks I commend my amendment for the consideration of the House. No cess is called for, and above all what the members should bear in mind is that so far as Muslim members are concerned, this institution does not merely need repairs, we must consider that this institution is the centre of Muslim opinion and Muslims will resent, and will resist, any intrusion in worship or the right of holding meetings in that institution, which are in accordance with time-honoured traditions of Islam.

**Khwaja Ghulam Husain :** May I ask if the honourable member is opposed to the very idea of repairs to the mosque or whether he is opposed to any intervention by the Government in the management of the mosque ? Supposing there is no intervention by the Government, will he still oppose the idea of the proposed cess ?

**Mr. K. L. Gauba :** So far as the repairs are concerned, I say that every Muslim wants this institution to be repaired ; but my point is that under the existing agreement, dated 7th December, 1925, between the Secretary of State and the Anjuman-i-Islamia all these repairs the Director-General of Archaeology or the Government of India is bound to carry out.

**Pandit Muni Lal Kalia :** May I enquire whether the Honourable Premier is aware of the existence of such an agreement ?

**Honourable Premier :** I am aware of it ; but my interpretation of that agreement is quite different from the one which the honourable member has put on it.

**Pandit Muni Lal Kalia :** Is it between the Secretary of State on the one hand and the Anjuman-i-Islamia on the other ?

**Mr. Speaker :** Resolution under consideration, amendment moved is—

That in lines 5—8 the words “ and recommends that Government should, if it considers necessary, undertake legislation for the imposition of a cess of one pice per rupee on all land revenue paid by Muslims in the province for not more than two harvests ” be deleted, and the following be substituted :—

“ and recommends to Government to make the necessary grants-in-aid without the levy of additional taxation or cess.”

**Premier** (The Honourable Major Sir Sikandar Hyat-Khan): Sir, I must confess that I was somewhat taken aback when my honourable friend opposite started to dilate on the inequities of the Secretary of State and also tried to impute motives for this move on the part of Government. My honourable friend has tried to quote from an agreement saying that it is the

[Premier.]

duty of the Archaeological Department to find all the funds for the repairs. But the actual position is this. This mosque was, in June 1925, declared as a protected monument. Government can always renotify it and say that it is no longer a protected monument. You will concede that under section 3 of the Ancient Monuments Preservation Act of 1904, it is open to Government to do so. In December of the same year, the Anjuman-i-Islamia of the Punjab, entered into an agreement with the Secretary of State for India in Council represented by the Deputy Commissioner of Lahore, the terms of which provide, *inter alia* that the Anjuman, as trustees of the mosque, will be responsible for its maintenance, provided that when required, the Secretary of State for India in Council will render such financial assistance towards execution of special repairs as may be proper and practicable in the opinion of the Director-General of Archaeology. This is quite different from what my honourable friend opposite tried to impress upon this House. It rests entirely with the Director-General of Archaeology to say whether any special repairs are required, to what extent money is available and whether it is practicable to find that amount. It is not the duty of the Secretary of State or the Archaeological Department to find all the money required for extensive and wholesale repairs of the mosque. They will merely repair a patch here and a patch there as they do every year and the result will be that danger to that mosque will continue. My honourable friend quite ignored that and he is now trying to out-herod Herod by saying something more than what even the Anjuman, who are the trustees of this mosque, want. He is, perhaps, not aware that I have been in close contact with the Anjuman. I asked them to look at the various aspects of this proposition before giving their consent to it because one condition is that the Anjuman will have to get out of this agreement and the fund, that is 11 lakhs, will be vested in an *ad hoc* committee which will supervise expenditure of these special repairs and also keep an eye on the maintenance of the mosque and on the expenditure of this amount that is set aside for the maintenance of the mosque. My honourable friend perhaps wants that this fund also, like every other public fund, should be collected and handed over to some public spirited gentleman like himself and others. We should naturally look very carefully after it. I can assure him that the public is much too wise to allow such a huge amount to be left even in the hands of honest leaders. After all, it is necessary that a formidable amount, like 11 lakhs, should be carefully spent and not a single pie should be wasted or in any way frittered away. My honourable friend will bear me out that even much smaller funds than this have been frittered away and when the accounts have been called for by the public — (*A voice* : Is it about Unionist Members ?) No, it is about those gentlemen who go about from village to village and say that they are going to convene a conference, a socialistic conference and a zamindar conference and want to collect money. I can give you one concrete instance. A conference was held at Naushera Punwan and my information is that to meet the *langar* 700 maunds of wheat were collected. Out of that 600 maunds of wheat were ground and only 300 maunds of *Ata* was used. Similarly, other provisions were collected. Naturally the public is very credulous and they entirely trust their leaders. But I think they have reached the end of their tether and

consequently they would like this huge amount of 11 lakhs to be spent by some body which is under the control of responsible people.

**Sardar Sohan Singh Josh (Urdu)** : On a point of order, Sir. The audited accounts of that conference are with the organisers. If the Honourable Premier would like to see them, he can do so.

**Mr. Speaker** : That is not a point of order.

**Premier** : Well, Sir, I was, as I said, disagreeably surprised to find when my honourable friend was saying that the real object of the Government in this matter was not to help to repair the great monument of the Muslims, but to get control over the mosque property. I made it quite clear in my opening speech that there is no such idea and I insisted before I agreed to any conditions of the Government of India that so far as the management and control of worship and meetings was concerned, it must remain entirely and wholly with the Muslims. (*Hear, hear*). It was only when the Government of India agreed to that condition that I — (*A voice* : What will be the strength of officials and non-officials on the committee ?) I have just informed that 6 of these members will be elected by the Anjuman-i-Islamia, 3 will be elected by this *ad hoc* committee to see that every amount is spent on the maintenance and that the requirements of this committee are fulfilled. I may also, for the information of the honourable member opposite, tell him that there is a small income accruing at present to the Anjuman from that mosque—about 4 or 5 thousand rupees. There is no intention whatever to take that amount away from that committee. That amount will remain under the control of that committee elected by the Anjuman-i-Islamia and they will spend that money as they are doing at present. I think, my honourable friend is afraid that the mosque will no longer, perhaps, remain an arena of *pahalwans*. If he wants to turn it into an *akhara* he is welcome to do so. If the Muslims want to do so, nobody can stop it. Perhaps my honourable friend thinks that they would like to do so. But my submission is that this mosque, as a premier place of worship of the Muslims, should be worthy of the Muslims of this province and should not be made a political arena of warring factions in this country. They should treat this mosque as a sacred place of worship, a place where interests of Muslims, if they are ever in jeopardy, are looked after and where Muslims can confer and safeguard their interests and not throw abuses against one part or another. If my honourable friend wants that and if the committee agrees to that, we cannot help. We should try to avoid that kind of thing and raise the standard which is due to this premier place of worship of Muslims in the province. (*Cheers*).

**Pandit Muni Lal Kalia** : In view of the declarations made in the two preceding speeches that there is an agreement in existence between the Secretary of State for India and the Anjuman-i-Islamia, and that this mosque has been taken by the Government under the Preservation of Ancient Monuments Act, is it not inconsistent that another committee, call it Endowment Committee or by any other name, should be constituted? What will be the position of the House when already there is a committee—

**Premier** : The honourable member probably did not follow me. I may inform him that the former agreement would be terminated.

**Pandit Muni Lal Kalia :** But it has not been done so far.

**Mr. Speaker :** In any case this House is not a party to that agreement and cannot, therefore, take notice of it.

**Dr. Gopi Chand Bhargava :** May I just ask the Honourable Premier to throw light on one point and that is this. What were the reasons for the Government to declare the Badshahi Mosque a protected monument and what led to the contract between the Secretary of State and the Anjuman-i-Islamia (Punjab)?

**Mr. Speaker :** Just now the amendment moved by Mr. K. L. Gauba is before the House.

**Mian Abdul Aziz** (Outer Lahore, Muhammadan, Urban): At the very outset I might say, Sir, that there is another amendment which relates to this very point. I do not for the present intend to speak on that. The only question under consideration now is with regard to the objection taken by my friend, Mr. Gauba. I would like to say a few words in support of what Mr. Gauba has said. I would also like to request the Honourable Premier to very kindly clarify any kind of misapprehension or misunderstanding which honourable members of this House may have in their minds. I may say that no doubt the position has been clarified to a great extent by the speech of the Honourable Premier, in fact the words he has uttered make me feel satisfied with the proposal (*hear, hear*). Yet I think I am justified in making one more request to the Honourable Premier. The matter now before the House involves one of the most sacred and religious places for the Muslims, not only affecting Lahore Muslims but practically Muslims of the whole province, in fact it relates to such an ancient monument that it affects the religious feelings of the whole of Muslim India, and that is why I would request the Honourable Premier to throw some more light on the point. The first thing we have to consider is the agreement of 1925 which has been referred to by my friend representing Inner Lahore (Mr. Gauba). That was the agreement entered upon between the Secretary of State on the one hand and the Anjuman-i-Islamia on the other after the disturbance of 1919. That agreement was entered upon in the year 1925 and I fail to understand why the Government of India slept over the matter for over 12 years, and has come forward with an offer at this stage. It might be said that it was perhaps on the move of the Honourable Premier or other Muslim Ministers that this matter was taken up, but certainly it does create a suspicion in the minds of the Muslims, that immediately after a few months after that unfortunate incident—about which I will not say whether the Muslims were justified or not as it is *sub-Judice*—in order to pacify the feelings of the Muslims, Government should have taken steps to release Shah Chiragh Mosque for which there was a clamour and cry in this very hall—

**Premier :** On a point of information, Sir. The decision about the the Shah Chiragh Mosque was arrived at least 12 months, if not more, before the Shahidganj question arose.

**Mian Abdul Aziz :** I am very grateful to the Honourable Premier for giving me this information that the decision arrived at by the Government regarding the release of Shah Chiragh Mosque took place some 12 months prior to the incident of the Shahidganj. I agree to that. But,

may I draw the attention of the Honourable Premier to the fact that since the creation of the new legislature in 1921 dozens of questions and resolutions were placed before the previous Councils requesting the Government to give us an assurance for the release of this Mosque. Granting that the decision was arrived at by the Government 12 months before the Shahid Ganj affair, that is in July, 1934, it took at least 12 years for the Government to finally decide in favour of the release of Shah Chiragh Mosque and it is after Shahid Ganj affair that possession was given. After all in matters of such a delicate nature in which religious feelings of a community are concerned, Government should have been more careful and prompt.

It may be considered that this question affects only the Muslims and the management of their holy and sacred places is being taken away in that indirect manner. I would like to take this opportunity to appeal to my Hindu, Sikh and Christian friends not to take this matter lightly. To-day it affects the Mussalmans, to-morrow the same thing may happen to other communities. This is a question on which we all want to have our safeguards and practical definite assurance from the Government.

4 P. M.

I may be permitted to quote only 2 or 3 passages from the agreement of 1925.

The conditions were—

That it is hereby agreed between the said Covenanter of the one part and Secretary of State for India in Council for the other :

(a) that the Covenanter shall be responsible for the maintenance of the said monument.....

mark the words ' maintenance ' only.

I agree so far with the remarks made by the Honourable Premier that it was not only the Government which was responsible but it was also the Anjuman-i-Islamia as a covenanter which was responsible for the maintenance only and not repairs as sub-clause (a) further reads—

When required the Secretary of State for India in Council shall render such financial assistance.....

Thus if the Anjuman-i-Islamia did not perform its duties the Government was not relieved of its part of performance. So the question appears to be clear that it was incumbent on the part of the Government of India to perform that duty if the Anjuman did not perform. I do not differ from the views of the Honourable Premier to any great extent, but I think we should be satisfied on this matter, and I shall appeal to him as a Muslim to get the fullest satisfaction from the Government before he hands over the charge of this mosque. The first clause of the previous agreement was—

That the Covenanter shall be responsible for the maintenance of the monument provided that when required the Secretary of State for India in Council shall render such financial assistance towards the execution of special work as may be proper and practicable in the opinion of the Director-General of the Archaeological Department.

We cannot for a moment consider that the Director-General of the Archaeological Department was sleeping over the matter or that he was unaware of the present condition of this mosque.

**Sardar Sampuran Singh :** Did you represent to him ?

**Premier :** He has been spending two or three thousand a year.

**Sardar Sampuran Singh :** The Director does not move unless required.

**Mr. K. L. Gauba :** You have not read the agreement.

**Mian Abdul Aziz :** I consider that my honourable friend who has raised this objection knows what are the considerations in sometimes discussing a matter and had he been quiet for a little while more, I am sure he would have had a reply to his query. The second clause is to the effect—

That no repairs, whether annual or special, shall be carried out without the knowledge and approval of the Archaeological Department of Government of India provided that in cases of extreme emergency requiring immediate action, the Trustee shall be at liberty to carry out urgent repairs at his own expense but shall report the fact forthwith to the Archaeological Department of the Government of India.

According to this the Anjuman-i-Islamia could not carry out any repairs unless it was an urgent one and it was necessary to do it then and there about which information was to be given. I submit again that it was obligatory on the part of the Archaeological Department that they ought to have seen to this. The third clause is—

That the mosque shall be under the immediate control of the Covenanter who will be responsible for the custodianship of the said mosque. That the Covenanter shall not, either itself or through its agent or lessees destroy, alter or deface the mosque or build it in any way.

These were the general conditions which were then incorporated in that agreement of the year 1925. I would submit that the conditions which are now being laid down are to the effect that although this grant is going to be met from the pocket of the others, the Government will contribute very little. We are grateful to His Exalted Highness the Nizam of Hyderabad who is going to contribute two or three lakhs. Similarly, I am sure, that His Highness the Nawab of Bhopal will also contribute and it is possible His Highness the Nawab of Bahawalpur may also contribute. (*Premier* We hope they will) And perhaps other Muslim States will also contribute to this cause, but what will be spent by the Government of India? That is a question we have to consider. The protection of ancient monuments is not only required for purposes of protection of mosques, but it is a protection which is required for every sacred place, to whomsoever it may belong and it is the duty of the Government of India to preserve all those sacred places, to whomsoever they may belong, which are worth preservation. I submit that this mosque has been in this condition for the last century since the Government of India has been here. The Archaeological Department was not unaware of this. Had the Archaeological Department been pleased to devote a little attention towards the mosque and spent about Rs. 25,000 or Rs. 30,000 a year, by this time we would not have had the necessity of putting up this resolution and would not have tried to bring up a resolution to this effect. Anyhow there is a proverb—

اُسکو بھولا نہ جائے جو صبح کا گیا شام کو کھر راجس آ جائے

I am thankful to the Government that it has now come forward, but it shall be the duty of the Government now to point out the way in which they want to keep the control. The assurance given by the Honourable Premier is to the effect that there will be no interference in the management by the Government, or by non-Muslims. The proposal which appears to have been made is that there will be an *ad hoc* committee consisting of

about nine members. As I happened to be a member of the Anjuman-i-Islamia I remember that this question was privately discussed and it was in the beginning said that the Anjuman-i-Islamia shall have the right of electing five members while the Government shall have the right of nominating or electing, whatever it may be, four members (*Voices: Not Government*). My reading may be wrong. As I stated earlier, I am subject to correction which you may be pleased to make. As far as I have read, it is said that the mosque is now in urgent need of substantial repairs and the Government of India and the Punjab Government are anxious that it should be properly restored and adequately maintained in future. It is estimated that for that purpose a sum of about rupees eight lakhs is necessary, *i.e.* for special repairs and an annual expenditure of Rs. 10,000 for future maintenance. The sum involved is formidable and it is doubtful whether Anjuman-i-Islamia would be able to raise the necessary amount. For those reasons the Government of India have made the following proposals:—

“That the Government of India should make a contribution of three lakhs, that this contribution should be accompanied by an appeal to the Muslims in India to meet the balance, that the total of this balance should be the amount required to carry out the special repairs necessary *plus* endowment to meet maintenance charges.”

Now we come to clause 4 which is important. It is to the effect—

That the management of the building and administration of the fund should be transferred from the Anjuman-i-Islamia to an *ad hoc* body over which the Muslim Minister of the Punjab Government might preside—with him as his colleague a representative of the Muslim subscribers.

Clause 5 says that the present agreement between the Anjuman-i-Islamia and the Secretary of State in Council should terminate. I need not read the whole of it. What the Government has stated is that these are proposals which they have brought forward. There is a well known proverb even in Punjabi—

کہاں دی مینور جگہ درویشی دی مہن آئے کر لاؤنگے لے لیا پین دی آئے  
ہو جائیگا۔

Once you give a little latitude to persons to interfere in the rights of others they overpower others and get hold of the thing. What I am afraid of is that this may not happen to-morrow. To-day they are going to take up the management and to all outward appearances show to the Muslim public that they want to leave the management in the hands of their own Muslim brothers, who represent them. I would like to point out that if any managing committee is to be appointed it should be done strictly in accordance with the Muslim law consisting of elected Muslim representatives. I agree to a great extent with the remarks of the Honourable Premier, when he was pleased to say that where there is a question of subscriptions, where there is a question of money, it should be in very safe hands (*hear, hear*). I say he is perfectly justified. There is no question of minimising it. This trouble has been going on in the province. Some unscrupulous people may collect subscriptions not only for the Anjuman-i-Islamia but also for other bodies such as Khalsa College, Anjuman Himayat-i-Islam, etc., and some of those funds may be swallowed up. There does not seem to be much doubt

[Mian Abdul Aziz.]

about it. These funds should certainly be put in very safe hands, but the question of management and carrying out repairs stands entirely on a different footing. I agree with the Honourable Premier that as far as the question of funds is concerned he can keep them in his own hands where they will be quite safe. (*A voice*: What about a Hindu financier?) So long as it is safe it can be kept even in the hands of a Hindu or in a bank. I do not consider there could be any harm. Unfortunately we make every question a Hindu-Muslim question. I wish to avoid this thing. (*Inter-ruption*.) I would not mind if it is kept even in the hands of Rai Bahadur Mr. Mukand Lal Puri with whom it will be quite safe. Anyhow the question of keeping funds in the hands of somebody differs materially from the question of management. I would point out to the Honourable Premier that every Muslim is anxious to see repairs to this sacred place. I for one welcome it most heartily. I only want to put a safeguard that there should be no interference by Government or its officials in the management and it should not be left under official influence or other general public (*Premier*: I entirely agree with you.) If he agrees with me and I agree with him, I think there is no dispute between us. I beg to submit that my difficulty comes in only about the question of management. The Muslims feel and are afraid because sometimes political speeches are made in the mosque. The Honourable Premier has been pleased to make certain remarks about this, that there would be no interference on the part of Government with which I agree with him; but at the same time I want him to understand clearly that according to my reading, Muslim law is the only law under which political, social, moral and religious affairs could be discussed in mosques where congregations are held. We cannot give up that right simply because Government is going to contribute 2 or 3 lakhs. We cannot give up that right even for the sake of 7 or 8 lakhs. We cannot sell that right and privilege for the sake of these lakhs. If the Government wishes to adopt these underhand means I would certainly say that the Muslims should unanimously refuse to accept this grant and raise their own subscriptions (*hear, hear*). If the Honourable Premier is satisfied—though I have some other misapprehensions, which I would be prepared to discuss with him, provided he condescends to send for a poor fellow like me and consult me about this matter—I shall be pleased to place my other views before him, by which I think the Muslim community would be satisfied even if the management is given in the hands of these persons as he proposes to do. But I would say that there should not be any official influence in the matter of its management, prayers and meetings. I would certainly welcome if the mosque is repaired. In fact I would welcome it heartily. With these remarks for the present and without saying anything about the other amendment which stands in my name I resume my seat.

**Mr. Speaker**: The honourable member has spoken not only about the repairs of the mosque, but has extensively discussed the whole subject.

**Mian Abdul Aziz**: On a point of personal explanation. I would submit that I have still to speak on certain points and I hope you will not rule me out before I have said anything further.

**Dr. Gopi Chand Bhargava :** The matter is a very delicate and technical one and I would like to speak in Urdu. I cannot express myself in the English language on this subject so well as I will be able to do otherwise.

**Premier :** I hope my honourable friend opposite will help the House to get through the rules quickly and once we have got through them, members may be in a position to speak in any language they like, more than hitherto, but so long as the present rules and section 85 of the Government of India Act remain, I am afraid it will be difficult to do so.

**Mr. Speaker :** Personally I shall be only too glad to allow not only the Leader of the Opposition but every member of the House to speak in Urdu or Punjabi, but my difficulty is that, according to the rulings given and opinions expressed by me during the Simla session, I am unable to allow the honourable member to speak in any language other than English. He has been speaking always in English and has been expressing himself fairly well, nay very fluently. So, I would request him to speak in English.

**Dr. Gopi Chand Bhargava :** My submission is that whether I speak fluently or not should rest with me. It does not satisfy me when I speak in English because I want to say something which I cannot do fluently.

**Lala Bhim Sen Sachar :** May I be permitted to make a suggestion? My submission is that the whole difficulty is met by standing order 33 (4). The Honourable the Leader of the Opposition may address the House in English and thereafter translate his own speech in Urdu and that will satisfy both the sections of the House.

**Mr. Speaker :** Unfortunately section 85 of the Government of India Act, as worded, does not permit Urdu speeches to be made by members who are sufficiently acquainted with English; nor is any member to speak twice—once in English and then in a recognised vernacular of the province. Therefore, I cannot allow an honourable member to make his speech in English and translate it in vernacular, or to have his speech translated into Urdu by an official translator.

**Lala Bhim Sen Sachar :** You were pleased to observe that when His Excellency the Governor makes a particular rule, that rule is there. Now this standing order having been framed by His Excellency the Governor, you may be pleased to hold either that the standing order offends against section 85 of the Act or that it is a good standing order. This raises a very important point just at this moment. If you are pleased to hold that His Excellency the Governor cannot frame this standing order because it offends against section 85 of the Act it will meet our purpose. If on the contrary you are pleased to hold that the standing order is a good standing order it will serve our purpose equally.

**Premier :** I venture to submit that we work on your old ruling and save the time of the House. Later on you can consider this.

**Rai Bahadur Mr. Mukand Lal Puri :** Is there anything to prevent you from seeing that the proceedings of this House are understood by everyone? If that power vests in you, certainly the power of getting any speech translated is there, whether the rule is there or not. That power is inherent.

**Mr. Speaker :** I have more than once expressed my opinion on this thorny question and see no reason to change it. The House may discuss it further when draft rule 50 is considered.

**Dr. Gopi Chand Bhargava** (Lahore City, General, Urban) : Mr. Speaker, the resolution which is before us and the amendment which has been moved by the honourable member for Lahore (Mr. Gauba), are so delicate and at the same time so important that it really requires great consideration at our hands before we agree to adopt the resolution or to reject it. In my opinion the resolution really deals with certain basic principles. The first is that if this resolution were to be quoted as a precedent, then there will be no limit to such resolutions being moved either by the members of Government or by other honourable members of this House. What is aimed at is to take our approval or to get our sanction, for passing, if necessary, a law which would give the Government power to tax a certain community out of the whole province for a certain object, which in other words would mean that the man is being taxed because he belongs to a certain community. To-day it is the Muslims to tax whom an effort is being made. I know, I do realise the important object for which this taxation is to be assessed if necessary, but do I not, if I support this resolution, also support that basic principle of taxing a member of certain community because he belongs to that community ? There are other ways open to the Government for collecting this fund and I as a public man, as a Punjabi, would have been too glad to contribute if a public subscription is raised for the mosque. In spite of my poverty, as a gesture, as a duty, I would contribute whatever I can to such a fund (*hear, hear and applause*), but I cannot be a party as a member of this honourable House to the passage of a resolution which would give that right to the Government of taxing a man because he belongs to a certain community. Then I made an effort to seek information from the Honourable Premier on certain points which have been argued before us. We have been told that there was an agreement between the Secretary of State and the Anjuman-i-Islamia, Punjab. I wanted to know what led to that contract being made. If I were to recite the past history which I know of the Badshahi Mosque as a citizen of Lahore, I would take you back to the year 1919 when public meetings were held in this mosque, meetings which were attended not only by Muslims but by Hindus and Sikhs alike. It was in 1919, probably on 12th April, 1919, that a procession started from the Badshahi Mosque and was passing through the bazars of Lahore, when people were fired at by the police. Government could not tolerate it. It was then that meetings were prohibited and even the recital of prayers was prohibited.

**Mr. E. Few :** Is the discussion of the Honourable Leader of the Opposition in order ? Are we talking about the repairs to the Badshahi Mosque or what happened 10 or 20 years ago ?

**Dr. Gopi Chand Bhargava :** Mr. Speaker, I was just relating the story which led to the contract which has been referred to and that reference to the contract is quite relevant to the resolution before us. It was after that that the Government prohibited even the recital of prayers in the Badshahi Mosque and its charge was taken over by the Government. It was after that that a contract was signed between the Government and the Anjuman-i-Islamia, Punjab. Now, Sir, the Government again finds that

meetings are being held—meetings, political, social and religious are held in the Badshahi Mosque—and the Government wants to control them.

**Premier :** No.

**Dr. Gopi Chand Bhargava :** We have been told and the Honourable Premier was pleased to tell us that the management and the absolute control of worship and of meetings shall vest in a committee which shall consist of six representatives of the Anjuman-i-Islamia, Punjab and three representatives of the *ad hoc* committee which shall control the finances or the endowment that is going to be created through this resolution. May I just enquire from the Honourable Premier, is it not intended that the control of meetings, the organisation of meetings, which vested in the Anjuman-i-Islamia, should now be put on a new basis? Why should the Government feel it necessary to nominate three persons of the *ad hoc* committee and restrict the powers of the Anjuman-i-Islamia, Punjab, so far as the organisation and control of meetings and worship is concerned?

**Premier :** There is no such intention.

**Dr. Gopi Chand Bhargava :** The Honourable Premier has told us that the Government of India had agreed to donate three lakhs of rupees towards this endowment fund and His Exalted Highness the Nizam of Hyderabad would contribute two lakhs of rupees, provided the rest, that is, six lakhs, were found and certain conditions were fulfilled and it was only under those conditions that this endowment fund would be created. The first was that the finances shall be handed over to a special *ad hoc* committee which shall be presided over by one of the Muslim members of the Punjab Cabinet and the other members shall be selected or elected or nominated either by him or by somebody else—we do not know how. The other condition the Honourable Premier told us was that the organisation and control of worship and meetings shall be controlled by a committee which shall consist of 6 representatives from the Anjuman-i-Islamia and 3 representatives from the *ad hoc* committee. I think I am perfectly justified in saying—specially after the declaration he has made that the Anjuman-i-Islamia has agreed to enter into that contract—that an effort is being made for that organisation to have the control of Badshahi Mosque. It might be said that because I am a non-Muslim, therefore, I have got no right to say that the Government should not interfere in any way with the management and control of places of worship of Muslims and in particular with the organisation for the control of the Badshahi Mosque. But, I think that this is an encroachment on religious rights of worship by the Government. It might be asked, why should we stand in the way of collection of money from Muslims for Muslim places of worship? I refuse to admit this argument. I am here, elected by the Hindus, but I think as a member of this House, it is my duty to try to protect the rights of all the Punjabis to whatever community they may belong. (*Hear, hear.*) I cannot bear this encroachment on the part of the Government on the rights of my Muslim brethren. It is my duty to object to this and to resist this action of the Government, even with greater strength if possible than I would have done if the Government had tried to encroach on the rights of Hindu places of worship. As I have tried to impress upon you, it is not only an effort, an indirect effort, on the part of the Government to control the organisation of the meetings and of worship, but it is

[Dr. Gopi Chaud Bhargava.]

also an encroachment on the rights of the people. The Government is all powerful. The resources of the Government are very vast, because they have got a very large number of rich people to make contributions whenever Government likes it. If the Government is really desirous of keeping this great historical place of worship in a condition worthy of the province, not only of Muslims, but worthy of the province, then the Government ought to have raised a fund and the Government should have exerted its influence, as they did in the collection of the Jubilee Fund or Thanks-Giving Fund or other such funds. (*Hear, hear from the Opposition.*) The rich people are always afraid. Therefore they approach the Government and say, "All right we are prepared to contribute as much as you like because it pleases you." But they want to avoid this contribution and want that the burden should fall on the poor people. For religious acts people should be free to contribute and people do contribute and when they are prepared to contribute voluntarily, Government should not resort to taxation by legislation for this purpose. As far as I understand the Muslim religion, I believe that those who belong to this religion are expected to contribute a share, not a small share but a very big share, for charities and for mosques and I know that the Muslims shall never lag behind in that respect. (*Hear, hear.*) They do always contribute for such things and they would have contributed, had the Government raised a public fund for it. It is not only for the Muslims to take part in this, but as one of the honourable Sikh friends has just said, others also shall take part in the contribution to the fund if such a fund is raised. I think that I can speak on behalf of Hindus and say that if a private fund is raised for it, at least I shall be one of those who shall try to help that organisation which would collect this money. But I cannot be a party to this action of the Government, because I think it is the thin end of the wedge which the Government wants to drive here. This motion, I am prepared to say, is not only for the purpose of collecting this money, but it has a propaganda value as well.

It was said by the Honourable Premier that the control of funds cannot be handed over to private individuals or to public persons and he cited an instance of a conference and tried to prove that there was some embezzlement in the funds of that conference. May I ask—after what was said yesterday that the Government spent money without taking our permission, whether that was not embezzlement on the part of Ministers of the Government of public money? When they can do that, what right have they to come here and say that the Government can manage the funds better. I know and I can prove—why, it was even proved this morning—that the Ministers use public money, which people have paid as taxes, for their party propaganda and party purposes. It is done nowhere in the world and still in the Punjab, because it is the Punjab, this thing is being done. In these circumstances it does not lie in the mouth of such a responsible person as Premier to attack the honesty of private individuals. (*Premier : I did not.*) I can prove, if permitted to do so, that private individuals can manage and do manage public funds much better than Ministers control the public money. (*Hear, hear from the Opposition.*) Is it not by chance, is it not by luck that Ministers, who were public men before 1st April, have now become Ministers? Does it lie in their mouth to-day, when they occupy the Treasury benches, to say:

that public men cannot manage this fund and, therefore, they want the control of the Government? We cannot permit the Government to do a thing which the public ought to do. It is the right of the public to manage such endowment funds. Government have got laws to punish people and see that no such embezzlement takes place again. But we cannot permit the Government to take the place of the public. Therefore, the present resolution should not have been moved but since it has been moved, it is our duty to throw it out.

**Khan Bahadur Chaudhri Riasat Ali** (Hafizabad, Muhammadan, Rural): Sir, I was all the time wondering whether the House was discussing the amendment which is still to be moved by Mian Abdul Aziz or whether honourable members were advancing arguments one way or the other on the amendment under discussion. All the time Pandit Muni Lal Kalia was discussing the question of the agreement between the Anjuman-i-Islamia on the one side and the Secretary of State on the other. Again Mian Sahib himself was discussing the question of the control as he understood it, over the Badshahi Mosque. Nobody raised the question whether the amount should be raised by means of a cess at the rate of one pice per rupee or whether it should be given as a grant-in-aid. Again the Leader of the Opposition did the same thing. While tracing the history of the various happenings which date back to 1919, he harped on the same tune and did not give much of his time to the amendment under discussion. His first remark was that to-day it is the Muslims who are being taxed, to-morrow the Hindus, the Sikhs and other communities will be taxed on similar basis. Only one sentence will suffice in reply and it is this. To-day it is the Muslims who are asking the Government to give money to them for the repairs of their mosque, to-morrow it will be the Sikhs who will demand some money—may be double the amount—for the repairs of a gurdwara and a third day it will be the Christians or Hindus who will come forward with similar appeals for their church or mandir, as the case may be. I would personally consider that it is an honour to that community to which a place of worship belongs that it should contribute in one form or the other some money towards the repairs or improvement of its sacred building. The Muslim community is not so dead that it is not alive to its duty. The Muslim zamindars who will be taxed in this way will be most happy to contribute their quota so far as the accomplishment of this noble object is concerned.

Question has been raised about the interference by the Government in the management of this mosque. I must assure honourable members sitting over there that nobody here even on this side of the House is prepared to accept any interference on the part of the Government. The Government as at present constituted is the last Government to interfere in any way in the religious rights of any community. Therefore the question of interference in the rights of the Muslim community and for the matter of that of any other community, on account of levying of a cess on land revenue paid by certain people does not arise. It is only a question of interpretation and in view of the statements made more than once by the Honourable Premier it is quite clear that no interference is contemplated. There is absolutely no harm if a committee consisting of 6 members sent in by the Anjuman-i-Islamia and 3 members elected by the *ad hoc* committee, be constituted. That much is clear.

[K. B. Ch. Riasat Ali.]

As to the question of embezzlement, of course I frankly admit that much can be said on both sides, whatever the remarks of the Honourable Premier in that respect may be. I can quote facts and figures to prove that in instances where, unfortunately, public money has been misappropriated; scales weigh more in favour of the non-officials than officials. In view of their official position and sense of responsibility there are very limited chances for the officials to misbehave, as compared with the other people.

As I have already stated I do not think it will be very hard for the people to pay a tax of one pice per rupee on the land revenue paid by them. As you know in this province 70 per cent. of the population of the people are those land-holders who pay land revenue of 4 to 5 rupees. If we tax these people at this rate it means that 70 per cent. of the population will be taxed only at  $2\frac{1}{2}$  annas more for two harvests for the accomplishment of such a noble object. There are only 1,500 Muslims who pay more than Rs. 500 as land revenue; so, at whatever reasonable rate you may charge them, the amount required for the purpose will not be forthcoming. As a representative of the Muslim community and as a representative of the public opinion gathered from the constituencies, I am sure that the people will welcome this idea and help within their means—it is certainly within their means—towards this noble cause.

**Sardar Sohan Singh Josh** (Amritsar North, Sikh, Rural) (*Punjabi*) :

5 P. M.

Sir, the amendment to the resolution regarding the cess concerns a very important and a very delicate subject, viz., the Badshahi Mosque. I will, therefore, try to be careful in making my speech. Since the matter is purely religious I do not want to cause injury to the sentiments of anyone, much less to those of my Muslim brethren. I view this matter from the point of view of the poor and with this point of view before me I will try to say something about it. When the Khalsa College was brought into existence, a method very like the one which is at present under consideration, was adopted. In that case also the funds were collected by taxing the Sikh zamindars. From the very day of the inception of this scheme, the affairs of the College have been dominated by official or semi-official agencies. No one else is permitted to have anything to do with its management. The governing body of the institution is not a representative body, nor has the rest of the Sikh community any voice in the management of its affairs. Every matter concerning its management is in the hands of persons who are under the influence of the Government. In the same way I am afraid, the management of the Badshahi Mosque will also fall into the hands of persons of that category. No meeting whether religious, social or political will be permitted to be held in the precincts of the mosque unless it carries the stamp of official sanction. It is one of the fundamental rights of a community that the Government should not have any hand in the management of its mosques or temples. It should not interfere with their places of worship. This is one aspect of the matter. The second point is, why should the repairs to the mosque be carried out through official agency? What have the officials to do with this matter? The repairs can easily be carried out by collecting funds through inviting subscriptions from the people. It is not fair to tax the poor for the purpose of carrying out repairs to the mosque. The poor people of this province

do not get enough to eat and their children are starving in order to save money to pay land revenue.

It is the duty of every Hindu and Muhammadan to subscribe funds for carrying out repairs to the Badshahi Mosque and to maintain that national monument in tact. Age old Islamic traditions are attached to this mosque. It is a memento of the past glory of the Mussalmans and, therefore, it is essential to keep it in good repair. But if something can be attained through public initiative, where lies the necessity for interference on the part of the Government? We were not members when the tax for the construction of the Khalsa College was proposed, otherwise we would never have permitted such a thing to happen. It is just possible that a fresh legislation may be introduced to-morrow by Chaudhri Sir Chhotu Ram and another cause for taxation on the Hindus may arise. It is bad in practice to collect a cess from the poor peasants. The wealthy people should be asked to pay instead. They will not feel this pinch if they donate a couple of hundred rupees towards the repairs of the mosque. It is not just to deprive the poor of their meagre possessions.

**Khan Bahadur Nawab Chaudhri Fazal Ali :** Is the honourable member speaking on the original motion or on the amendment?

**Sardar Sohan Singh Josh :** We, who are assembled in this House, should raise a voice of protest against the levy of this cess on our poor brethren. This cess should be levied on the wealthier members of this House. They should come forward to help in the maintenance of their historical and national monument by contributing money to the cause. With these words I support the amendment moved by my honourable friend, Mr. K. L. Gauba.

**Raja Fateh Khan** (Rawalpindi Eastern, Muhammadan, Rural), (Urdu): Sir, I want to bring to the notice of the House through you that from the religious viewpoint of the Muslims, this is the first resolution or motion which has been brought forward by the Honourable the Premier. This resolution is intended to safeguard the religious sentiments and prestige of the Muslims. So far as the protection of their religious rights is concerned every Muslim whether rich or poor is governed by the injunctions contained in the following verse from the Holy Quran:—

ان الله اشترى من المؤمنين انفسهم واموالهم بان لهم الجنة

(Verily the life and property of the Muslims is reserved for upholding their religious rights and thereby they purchase paradise.)

It is a matter concerning the religious prestige of the Mussalmans. Every Muslim considers it his bounden duty and an act of *swab* to contribute towards the fund for carrying out repairs to the mosque. I assure the honourable members on the opposite benches that in this matter it does not become them to start harping upon the poverty of the Muslim zamindars.

It has also been said that the responsibility for the maintenance of this old holy place falls on the shoulders of the Government of India. Another suggestion that has also been brought forward by the Opposition is that the Government of the Punjab should have given an opportunity to the

[Raja Fateh Khan.]

capitalists of the province to contribute voluntarily in this act of *swab*. Their generosity, in this way, would have been put to test. In reply to these suggestions, I would like to read out a well-known Persian saying—

تا تریاق از عراق آورده شود مار گزیده مرده بود

The Government of the Punjab, on account of various restrictions, that have just been mentioned on the floor of this House, cannot provide sufficient money out of their funds and the gentry, on the other hand, do not agree to the proposed system of contributing voluntarily. They would never come to agreement. The result would be that this historical grand mosque will be absolutely ruined in course of time. My submission is that we ought to consider that the Government is conferring this privilege on everybody irrespective of their creeds, out of love and sincerity. I may point out to the House that when Prophet Joseph was brought for sale in the market, an old woman wished to buy him. She had nothing to pay for but an *uttee* of cotton and she did not hesitate at all in offering it as his sale price. We should not look at the poverty of the woman. We are to appreciate the sentiment of love under which she was obliged to come all the way from her house to the market place only to get Joseph. (*Cheers*.) The Government have equally requested the Muslim gentry and the poor as well to participate in this *kare-swab*. I would, therefore, request the honourable members on the opposite benches that they should not refuse this good offer. At least we do welcome the resolution under consideration with our heart-felt feelings of appreciation.

**Master Kabul Singh** (Jullundur East, Sikh, Rural) (*Punjabi*): Sir, before this resolution is accepted, I would like to ask, how is it that the need for the maintenance of the mosque is being felt at this juncture when it has not been felt for years and years before? To me it appears that while Maulana Zafar Ali Khan has been delivering inflammatory and anti-national speeches in the Shahi Mosque, our Government did not move their little finger and even the idea of the maintenance of the mosque did not strike them. But now because the Ahrars have regained their prestige and Zafar Ali Khan has been forced to retreat, the Government have seriously felt the necessity for the maintenance of the mosque, and on this pretext appeals are made in the name of Islam to the poor people and they are robbed of their money. In order to exploit the general masses who feel disgusted with the gentry at present, the big landlords, rajas, maharajas and nawabs are asked to subscribe to this fund in order to show that they are the greatest defenders of the faith. This is a futile attempt on the part of the Government to win over the masses to big landlords and jagirdars. What I am afraid of is, that after the acceptance of this resolution the Government will not allow private meetings to be held in the mosque. As every Mussalman citizen has a right to hold meetings in the mosque, so the Mussalmans will naturally try to hold meetings there and the Government will not allow them to do so. The people will, consequently, resist to protect their civic rights and the Government anticipating riots will come forward with a demand for additional police. In this way more money will be realised from us.

It has been said by the Government that they want to maintain this religious and historical monument which almost every Indian rightly feels proud of. These are all pretensions. The fact is that the Government want to loot the poor in the name of Islam and that is why we are reminded of our religion being in danger. But that is not the case. In fact the lives of the people are in danger. The Government do not like to let people feel the present economic depression and for that purpose they rivet their whole attention to such matters. I know it as a matter of fact that the poor are told that the *malba* taken from them is being spent on lame, crippled and other needy persons. But in reality that is being spent on supplying hens for police and luxuries to tahsildars. I think, it would have been better, if the Government had appealed to the rich to subscribe to this charitable fund voluntarily. It is obvious that if they cease to revel for at least 2 years and if they give up the luxuries in which they used to indulge at Simla, that is, if they abandon the use of rikshaws which they have been using hitherto for the sake of their communities, the problem will *ipso facto* be solved. But it should be borne in mind that the poor can no longer be duped now. Honourable members over there should remember, how submissively they begged the zamindars for votes. And now they draw large sums of money (say Rs. 5,000 each) on account of railway fares unmindful of the fact that they are actually sucking the very blood of the poor. The peasant-folk do realise how far its rights are safe in the hands of the present Government. There is a strong general feeling on the point that since the zamindars are not in a position to pay land revenue, it should be considerably reduced and no other tax should be levied. Instead of paying any attention to this feeling of the zamindars, a new kind of cess is being imposed on them. I understand, this is only an attempt to squeeze money out of the zamindars. In fact the Government have no feelings for this religious and historical monument. It appears that they are now considering how best to restrict the present political current and divert it into the channels of religion. The public in general and the peasants in particular can no longer be fooled. The public is now all awake.

One point more and I shall have done. I well remember that on the 9th of October 1937, in a meeting of the Executive Committee of the Shiro-mani Gurdwaras Parbandhak Committee, Master Tara Singh remarked that the Unionist Government intended to bring about the religious unification of the different groups of people and thereby to divert the present political current into other channels. I did not agree with Master Tara Singh then, but the present circumstances with which we are now face to face support his statement.

I hope that the House will support the amendment now under consideration and press upon the big landlords and capitalists the advisability of reducing their personal expenses in order to help the poor people of the province.

**Khawaja Ghulam Hussain** (Multan Division Towns, Muhammadan, Urban): Sir, when I read this resolution for the first time, I never expected that there would be any opposition to it. It is a pity that some honourable members on this side of the House have entirely misunderstood the situation and thought it fit to oppose this resolution on grounds which have absolutely no weight and which without any fear of contradiction can be termed as absolutely flimsy.

[Khawaja Ghulam Hussain.]

The honourable the Leader of the Opposition was pleased to say in the course of his speech that as a matter of basic principle it was wrong to tax a particular community even though it may be for a very laudable object. If the honourable member was interpreting the feelings of the Muslim community—I am sorry he is not here—I would have straightaway told him that he was entirely mistaken. The Musalmans, Mr. Speaker, value their places of worship more than their life and their property. If it is permissible to take a leaf from past history, the Leader of the Opposition could have judged the situation in the light of the recent agitation for the Shahidganj and the widespread unrest amongst Musalmans over the mosque question.

It was contended that the Government was very rich and surely they could discover fresh sources from which to provide for the repairs of the mosque. Personally, I would be glad, if the Government are in a position to find money from provincial revenues for this object. Recently out of regard for the feelings of a particular community Government abandoned a scheme—I mean the Abattoir Scheme which involved considerable financial loss to Government. (A voice: Question). I do not say that the Government were wrong in abandoning that scheme, they did a very good thing out of regard for the religious susceptibilities of a particular community. I would say that it is absolutely essential for a popular Government to take stock of the feelings which exist in the country at a particular time and to find out a remedy which may be essential for respecting those feelings.

It was also urged in opposition to this resolution that there was an agreement between the Secretary of State on the one hand, and the Muslim community through Anjuman-i-Islamia of Lahore on the other. The terms of that so-called agreement contained so many conditions and restrictions that in my opinion it is a travesty of expression to call it an agreement. In the first place, we have "whenever required." It is questionable what this expression "whenever required." means. It may be according to the opinion of the community or according to the opinion of the Archaeological Department. Then there is the Director of Archaeological Department who is to recommend to the Government to find out money for particular purposes. Then the money is to be found for the help which is called as "such financial help." We do not know what that "such financial help" exactly denotes. It may be adequate or it may be inadequate and looking to the present circumstances the financial assistance, Mr. Speaker, which is being given to the mosque by the Government amounts to Rs. 2,000 or 3,000 a year. This is extremely inadequate and in view of the historical importance of the mosque it is absolutely essential to find out a scheme by which we may be in a position to preserve this historical monument. Supposing, for the sake of argument that there was an agreement and the Secretary of State did not respect that agreement; the question is, now when the Government have come forward with a tangible and definite proposal, why should we reject it?

The only point on which we want elucidation of Government's policy is whether the Government are prepared to give us a definite assurance that the management of the mosque is not going to be interfered with. The

Honourable the Premier was pleased to state expressly on this point that the management will not be otherwise than Muslim. That point requires further elucidation. That may mean that Muslim members of the Government will be on the management. What we want clearly and distinctly stated is only this that the management of the mosque will be in non-official hands, and with that assurance this resolution is a laudable resolution which has been supported by all sections of the House. With these few words I beg to support this resolution.

**Sardar Hari Singh** (Kangra and Northern Hoshiarpur, Sikh, Rural) : Mr. Speaker, I have the honour to make a few observations on the resolution moved by the Honourable the Leader of the House and the amendment moved by Mr. Gauba on that resolution. There is entire agreement between the two opposite views on the question before the House as regards the necessity of raising an endowment fund for the repairs and maintenance of the mosque. There are no two opinions as regards the necessity for that. It is recognised by all sections of the House that the Badshahi Mosque is a monument of great historical and archaeological importance and value.

It is a reminder of the glory that was Ind and it ought to be preserved in tact against the assaults of time as an architectural monument of great glory and splendour. The difficulty arises when we pass on to the question of finding financial sinews for the endowment fund. The Honourable Leader of the House has been pleased to say that the Government of India will contribute large amounts of money for the endowment fund and that the Government has also in mind to raise voluntary contributions for the fund and if these contributions do not come up to 11 lakhs, then the Government will consider the question of imposing a cess of one pice per rupee on the poor peasants of the Punjab. He also says that that eventuality may not arise. But it may happen and if it happens we are opposed to that. We cannot, knowing the penurious condition of the Muslim peasantry of the Punjab who are sunk to the ears in indebtedness and who find it hard to have two square meals a day, consent to be a party to the imposition of a cess on the Muslim peasants of the Punjab, at least the poorer section. We have got certain suggestions to make and I make a present of them in case Government feels the necessity of imposing a cess. Let that cess be imposed on the richer people, on the richer landlords, on those people who are in affluent circumstances and who have plenty to spare. Let the poor Muslims contribute their mite to the voluntary contribution fund. Let the Government come out with a scheme for voluntary contribution to a fund and I hope the Hindus and Sikhs of the Punjab also will contribute to that fund and that will also help to lay the foundation of communal unity in this province. I hope the Hindus and Sikhs of the province will generously contribute to the fund. Let the Government therefore turn down its present proposal of imposing a cess on the poor peasants of the province. Then I have a further suggestion to make. The Government might conscript all *malba* paid by the Muslim peasants of the province for one year. I can imagine a zealous Minister standing up and saying that this *malba* is intended for the use of village communities. I join issue with him on that point. This contribution is at present not being used for the proper purpose for which it was intended originally. Now-a-days it is being used for the purpose of entertaining subordinate officials and the police. Let this at least once be diverted

[S. Hari Singh.]

to this sacred purpose and let the *murug* and the *pulao* which is provided by this fund to the subordinate officials be not provided for one year at least. Then there are a large number of *Auqaf* in the Punjab and I think it would be a nice proposal if the Muslim *Auqaf* are made under the law to pay handsome amounts for the endowment fund for the Badshahi Mosque. Their funds are intended for sacred and religious purposes and there can be no more sacred purpose for their moneys to be spent on than their contributions to the endowment for the Badshahi Mosque. With these words I oppose the resolution and support the amendment moved by Mr. Gauba.

**Rai Bahadur Lala Binda Saran.** (Punjab Commerce and Industry) : Sir, I beg to support the resolution moved by the Government. Like my honourable friend, Sardar Tara Singh, I would like to say that members of my community will not lag behind to render any support to this noble cause and I would like to say that we should accept the assurance that Government will not interfere in the religious or other rights of Muslims in this mosque. The biggest contribution will be paid by the Government of India and naturally they would like to see that the amount that they contribute is spent properly. If a committee is appointed and they are not going to interfere with the religious side, I think there should be no objection.

**Malik Barkat Ali** (Eastern Towns, Muhammadan, Urban) : I desire to associate myself fully with the resolution that has been moved by Government (*hear, hear*) and I would like to congratulate the Government on the very noble and laudable scheme that they have undertaken. I believe this is the first time in the history not only of this province, but in the history of India that any Government is resorting to this voluntary method—I deliberately use the word “voluntary”—this voluntary method of raising funds, if necessary, for the reconstruction and resuscitation of a great mosque recalling all that is noble and grand in the Muslim history of this country. It is for the first time that any Government has considered the advisability and the propriety of calling upon the Muslims to show what they are capable of. I am really surprised that any one in the opposition should have selected this item for giving some kind of battle. Perhaps my learned friends of the opposition are not aware of the mentality of the Muslims. A poor Muslim for whom the Opposition is exhibiting so much sympathy would consider it an act of religious merit and of great virtue to be asked to contribute to a fund of this kind. To say that people paying below Rs/ 10 land revenue should not contribute their humble mite to this fund would really be creating a grievance on the part of those Muslims. (*Hear, hear.*) It has been said that Government should have contributed the entire sum out of the public exchequer. I find that one of the amendments of the Leader of the Opposition says that Government should contribute a lakh and half out of the public exchequer towards this endowment fund. Now let us examine the facts as they stand. I can easily understand the difficulties in the way of the Government if they adopt this method. They would have at once made themselves open to attack. It would be said against them that in the interests of Muslims this Muslim Government is taking this step and so on and so forth. I am glad that the Government has not taken any such step to contribute out of its own exchequer towards this endowment fund which would be exclusively used for this Muslim mosque.

Again we cannot forget the fact that our funds are limited. We have already prepared our budget and where is this item to come from? It cannot come out of nothing. Some sort of cess would be necessary and if the cess is imposed on non-Muslims it will be a legitimate grievance on their part. I do not know if when an amendment is brought forward to the effect that all landowners, not only the Muslims, but also the Hindus and Sikhs, should contribute to this fund, the Opposition would be in a position to give an undertaking or a guarantee that there will be no objection to that. But so far as the Muslims are concerned, I as a humble representative of that community, and as one who is in a position to gauge the sentiment of the Muslim community in a matter of this kind, can state without fear of contradiction that this proposal to levy the cess will be welcomed throughout the province by all Muslims. Now when I say this, I do not desire it to be understood that I am in any manner a party to any agreement or any restrictions that may have been reached or might be imposed. As I read this resolution, there is nothing in its terms which refers to any contract or any covenant with the Government of India or anybody else. But I have no doubt in my mind, so far as one aspect of the matter is concerned. I am sure that no Government, not even the Government of India, and much less the Government of the Punjab, would be a party to any terms which are opposed not only to the express provisions, but to the spirit of the Muhammadan law on the subject. Therefore it appears to me that the amendment of my honourable friend, the honourable member for Lahore Rural (Muslim) which says that there should be no interference either directly or indirectly on the part of the Government in the management of the said mosque which should be in strict accord with the Muhammadan Law, is unnecessary. So far as this resolution is concerned, there is really no casual connection between it and the amendment. For that reason I cannot support the amendment. It is foreign and not strictly relevant to the resolution.

**Mian Muhammad Iftikhar-ud-Din** (Kasur, Muhammadan, Rural) : Mr. Speaker, I had no intention to speak, but the honourable member who has just finished his speech, has obliged me to correct one or two misunderstandings. Let me first point out that the Opposition, or the Congress Party, is not opposed to any such fund being raised. Firstly, the Congress Party endorses the amendment of my honourable friend from Lahore, Mian Abdul Aziz, that this fund which is being raised should not amount, in an indirect way in future, to this that Government should take up the management of this mosque. This is the first point and it is a very simple one to which no Muslim will ever object. We fear that Government may by raising this fund, at a later date take up the management of this mosque into their own hands. This is the first point that I want to raise.

Secondly, in regard to the method of raising this fund we have some suggestions. There is an amendment in the name of Sardar Hari Singh and another in my own name. These amendments are a little different, but the aim is the same. The aim is that we want that this fund should be raised from bigger landlords of the province and not from poor peasants of this province. As we all know and as the Unionist Party does not lag behind anybody else in emphasising that fact, we are already very much poverty stricken. So, the point is that this fund should be raised from bigger landlords. As regards voluntary contribution, let me point out

[Mian Iftikhar-ud-Din.]

that we have no objection to such a fund being opened. Then, not only poor peasants but also poor tenants and poor or rich Government servants, will be able to pay and contribute their small share. So far as voluntary contribution is concerned, we are in favour of it, not only from peasants, but also from tenants, *kamins* and workers of this province.

As regards taxation through legislation of this sort, we are only in favour of bigger landlords being taxed. That is the point. There is nothing more from the side of the Congress Party to be said in opposition to this resolution.

**Dr. Saif-ud-Din Kitchlew** (Amritsar City, Muhammadan, Urban) : Sir, it is a very delicate matter indeed. A resolution of this kind is likely to place one in a position of misunderstanding. It is likely to create a certain amount of unnecessary heat of religious feelings if it is not properly handled. I have been very carefully listening to the speeches of the honourable members on all sides of the House. I would, with your permission, like to impress upon the honourable members of this House one particular aspect from my point of view, and that is this. As I understand it as a Muslim—and I hope I rightly understand it—a mosque is regarded to be the centre of Muslim life and activity. It has been in the minds of the Opposition and I think it is suspected rightly, that there may be somewhere the proverbial thin end of the wedge in this resolution. I would really like very much to have this misunderstanding removed and I shall request the Honourable Premier to effectively remove that misunderstanding. (*Premier* : I have done so twice already). A mosque to my mind, judging from history and the traditions of the Muslims all over India and all over the world, has always been a centre, not only of the religious views, not only of offering prayers 5 times a day, but has also been the centre of business and political activities. For instance, foreign ministers, foreign representatives and foreign deputationists, as a matter of history, would come to Muslim countries, would come to Muslim potentates and discuss important matters of business inside the mosque. All political treaties and all business contracts were always executed and signed within the precincts of the mosque. So, if there is any desire anywhere on the part of any political organisation, may be the Government for the time being, to take control of the Badshahi Mosque, with a view to check the public activities of the community, I think it will be committing the greatest blunder of its life. No Muslim will ever tolerate this. The mosque must be, for all practical purposes, a centre of all religious, social and even political activities and as such all deliberations touching the welfare of the community must be allowed to be held within the precincts of the mosque. Let there be no misunderstanding about it.

Personally I have nothing much to say against the resolution mainly as it stands. So far as the amendment moved by my honourable friend, Mian Abdul Aziz is concerned, I would request the Honourable Premier to somehow or other incorporate that in his main resolution. That will remove a good deal of misunderstanding. If the management of the mosque is not to be interfered with by the Government—whatever Government it may be, be it the Unionist Government or some other government in future to come—if the management is to be entirely in the hands of the Muslim

community, I think not a single voice will be raised against this resolution, even outside the House. If I can judge the sentiments of Muslims properly, I feel that no Muslim worth the name, would ever tolerate that a Minister, whether a Muslim Minister of the Government or not, should have any control over the mosque. If a Minister would dare to interfere with the doings of the Muslims in connection with the mosque, I am afraid he will be ruled entirely out of place.

Therefore my submission, and appeal if you like, to my friends over there is to somehow or other incorporate something of this nature in the resolution so that this misgiving might be removed.

So far as the contributions that would be levied are concerned, I do not want to restrict them to Muslims alone. If I were to have any hand, any voice in the matter, I would like it to be open to all citizens of the Punjab or even of India to contribute to this fund, because apart from the Muslim religious sentiment attached to it, this institution is of historical value. I would like the Government to take this opportunity to bring about harmony among the various communities. Personally I would ask my friends from all quarters to come and assist the Muslims. The past history of various religious and historical institutions of India clearly shows that contributions were coming forth from all quarters. Even the foundation stones of various religious institutions were laid by men belonging to other communities. I would like that kind of atmosphere to prevail in the country, that kind of spirit to be introduced in the country. I would be very much obliged if my honourable friends on that side of the House would take something out of the amendments moved from this side and incorporate them so that the whole resolution may be passed unanimously. You are getting, I am told, about 3 lakhs of rupees from the Government of India, that is, from the Central Exchequer. You cannot very well say that all the money that would be coming forth would be coming only from the pockets of the Muslims. The Central Exchequer gets money from all sources—Hindu, Muslim and Sikh. You can very well extend this principle instead of singling out one particular community by levying this kind of cess on every zamindar who pays land revenue, say, of Rs. 500 a year. With these words, I would very much like to support the main resolution with the request that some of the amendments may be incorporated by the Government.

**Khan Bahadur Nawab Chaudhri Fazl Ali** (Gujrat East, Muhammadan, Rural) (*Urdu*): Sir, when I first read this resolution I got the impression that it related to a matter which was not likely to be discussed in the Assembly at any length. As the resolution in question relates to a purely religious matter, I thought that only the Muslim members of the Assembly will have an opportunity of discussing it amongst themselves. I could never imagine that our brethren here would oppose a purely religious matter and I am surprised that even this has not escaped their unbridled criticism. It has brought to my mind an anecdote which I read in my childhood. A certain tyrannical officer of a certain ilaga died and his son soon after the death of his father ordered the demolition of a mosque. When somebody who knew the father enquired of his neighbours as to who was demolishing the mosque he was told that such and such a person was demolishing it and added that the father was in the habit of demolishing the houses of the people but his son did not spare even the house of God.

[K. B. Nawab Fazl Ali.]

We want to repair a mosque to save it from complete ruin, but brethren of ours are putting obstacles in our way. I would request them to keep their hands off our affairs and not to oppose us in matters which are of a purely religious nature. The question of the protection of a mosque is a vital matter for the Mussalmans. These poor Mussalmans who do not hesitate to sacrifice their very lives for the sake of the mosques, will they hesitate to pay a few pice for repairing the mosque? I may tell my friends here in the most unambiguous terms that the Muslims cannot brook any interference in their religious affairs from any quarter whatsoever. (*A voice*: Against whom is the honourable member insinuating?). I am not referring to any one in particular. This is purely a religious matter and concerns all the Muslims, no matter whether they are rich or poor. The members of the Opposition say that the poorer classes amongst the Muslims should not be allowed to contribute their mite towards the maintenance of the Badshahi Mosque. I submit, that they must be allowed to do so. The Congress Party is interfering in religious matters. (*Several voices*: Question). I do not care even if you question my statement a hundred times. Our friends on the opposite benches have criticised the proposed cess on the ground that it will be a heavy burden on the poor zamindars. The fact is that 70 per cent. of Muslim zamindars pay only about Rs. 10 as land revenue and the proposed cess works out at two annas and six pies per head, and that is all they will have to pay in the form of the proposed cess.

**Mian Muhammad Iftikhar-ud-Din**: Yes, if they pay it willingly.

**Khan Bahadur Nawab Chaudhri Fazl Ali**: This is a religious matter and the Mussalmans would willingly contribute towards the repairs of the mosque. All the Muslims will do it of their own accord. (*A voice*: Not of their own accord, but as others will it). My friends on the opposite benches have taken exception to this resolution on the score of the poverty of the Muslim zamindars. The zamindars are undoubtedly poor, but that does not mean that they will refuse to take part in providing funds for carrying out repairs to the Badshahi Mosque. They would deem it a privilege to take part in matters religious and will not consider the levying of such a cess as a burden upon them. (*A voice*: Why do you not tax the rich? Why do you allow Government servants to go scot free?) This upkeep and maintenance of the Badshahi Mosque is a personal affair of the Muslim community. Every Muslim would only be too glad to contribute something towards the proposed fund. What right have you to interfere in this matter? All Muslims, whether they are rich or poor are anxious to do their little bit for this laudable object.

**Chaudhri Kartar Singh**: What have you contributed for the Arabs in Palestine?

**Mian Muhammad Iftikhar-ud-Din**: They are probably sending armies to reinforce the British troops.

**Khan Bahadur Nawab Chaudhri Fazl Ali**: Honourable members probably do not want to hear me and so are unnecessarily interrupting me. But I do not mind such interruptions. The matter of the Badshahi Mosque is a religious affair and we do not stand in need of your help. If the zamindars have to say anything

against it, they will say it themselves. It has become a fashion with the Opposition to drag in the name of zamindars in every matter and on every occasion. We cannot tolerate this. The zamindars will only be too glad to be a party to such a good and noble cause. I had the privilege of reciting the following couplet on a previous occasion and I will do the same now :—

ہر و این دام پر مرغ دیگر نہ  
کہ عتقا را بلند است آشیانہ

Sir, I will submit with all the emphasis at my command that the Muslims are prepared to sacrifice their all for the sake of the mosque. There is no question of rich and poor. All the Muslims, high or low, rich or poor, are only too anxious to contribute something towards the proposed fund. With these words I support the resolution under consideration.

**Mian Abdul Aziz :** On a point of order. If my amendment is going to be discussed and considered, let me move it now formally. I will not make a long speech.

**Mr. Speaker :** I shall gladly allow the honourable member to move his amendment at the proper time.

**Diwan Chaman Lall** (East Punjab, Non-Union Labour) : Mr. Speaker, the proposition, as put by the last speaker, is open to very serious objection. He unfortunately has not appreciated the position of the Opposition. Without appreciating the position of the Opposition he has indulged in a tirade which is as irrelevant as many other things said on the occasion which had no reference either to the resolution or to the amendment on the subject. The Opposition is definitely of the opinion that if the Muslim community desire to protect their monument, which is their own, they have every right to protect it (*hear, hear*). The position of the Opposition is still better than that. The Opposition is prepared to contribute its quota towards the preservation of this ancient monument (*hear, hear*). Speaking on behalf of all the members of the Opposition on these benches, I say that each one of us will contribute individually towards the preservation of this mosque—whether we are Hindus, Sikhs or Muslims. But, the position is that discriminatory taxation, the principle of discriminatory taxation, has been introduced. My learned friend over there, who spoke last, wants that. He is welcome to it. All that we suggest is that when we unite to contribute our quota towards the preservation of a historical monument, why do you prevent us from making our contribution? If it is not your object to prevent other members of the Opposition who are not of the same religious persuasion as my learned friend who spoke last, from associating themselves with the preservation of the monument which is declared a protected monument under the law, then I fail to see, what your grouse can be. Not only that, Mr. Speaker, but two suggestions have been made and surely it is the right of the members of the Opposition, no matter to what particular religion they may belong, to make suggestions on the floor of this House to improve the proposition, to make improvements in the proposition made by the Honourable Premier, namely in two respects. Firstly we say, and we have a right to say it, that if you want money, go to those people who have got the money. Let them pay irrespective of the fact that they are Hindus, Sikhs or Muslims. When we say as representatives of Hindus and Sikhs,

[Diwan Chaman Lall.]

that we are prepared to make our contribution, surely the honourable member should get up and thank us for the suggestions that we have made instead of harping upon themes which are not relevant to the proposition before the House. Not only that, what we say is this, and I think it is a proposition which honourable members of the Unionist Party will appreciate. In season and out of season, they are not tired of stating on the floor of the House and in public meetings that they are the friends of the poor zamindars. During the year that they have been in office they have done, as far as I can see and as far as anybody who has knowledge of these things can see, nothing to relieve the poverty of the poor zamindars (*hear, hear*). The first positive action of the Unionist Government is to tax the poor zamindars over again. What we say is that instead of taxing the poor zamindar, tax those who are capable of paying the taxes for the preservation of the mosque.

**Premier :** That will come.

**Diwan Chaman Lall :** What have we here to-day ? Not relief of the poor peasantry, but further taxation of the poor peasantry. (*A voice : No, no*). My learned friend says, "No, no." I am surprised at his ignorance. I am surprised at his audacity in saying *No*. Has he read the proposition before the House ? It is that every land revenue paying Muslim should pay one pice per rupee on land revenue.

**Malik Barkat Ali :** A Muslim does not regard that as a tax.

**Diwan Chaman Lall :** I am surprised that my learned friend over there who is a keen and capable lawyer, is incapable of understanding the phraseology of the resolution.

**Malik Barkat Ali :** I am surprised that you are ignorant of the Muslim mentality.

**Diwan Chaman Lall :** My learned friend prides himself on the knowledge of the mentality of his co-religionists. I also pride myself on the mentality of my compatriots (*hear, hear*). The mentality of my compatriots is that Government should relieve the poverty stricken masses of my country, whether they are Hindus, Muslims or Sikhs. The mentality of my learned friend over there is to burden the poverty-stricken peasantry of this province, while he should go on drawing his fat fees out of the pockets of the poverty-stricken peasantry. My suggestion on the floor of this House from the Opposition is this and I hope my learned friends on the Treasury benches will take the proposition seriously. They want a guarantee to be given to the Government of India. There are six ministers drawing a salary of three to four thousand a month and if we include the allowances, about which we heard this morning, it comes to about Rs. 5,000 a month. Suppose our learned friends over there were to contribute from their pockets Rs. 2,000 a month each, then in one year there will be one and a half lakhs available as guarantee to the Government of India and this would not lead to any burdening of the poverty-stricken people (*Cheers*). There will be a sum of three lakhs of rupees available if they levy taxes on land revenue for two harvests and it would come to the same thing. I want to make myself clear on this point. My learned friend says that the Government of India are going to give three lakhs. They do not stipulate that the three lakhs

would come by a pice per rupee levied from particularly one class of the people of this country. The revenues of the Government of India come from all sources, Hindus, Muslims, and Sikhs, irrespective of the religion of the payer of the taxes and yet if the Government of India can pay money out of the general funds in their hands, why cannot the Punjab Government, when it is being supported in this proposition by the Opposition, pay out of the revenues of the province towards the rehabilitation of the Badshahi Mosque? These are the propositions which we are laying before our friends over there towards widening the support for reconstructing the Badshahi Mosque. We are trying to suggest ways and means of raising money in an equitable and just manner so that the burden may fall on the shoulders of those who can bear it.

**Khan Bahadur Mian Mushtaq Ahmad Gurmani** (Parliamentary Private Secretary) (*Urdu*): Sir, the motion under consideration is a very simple one but I am sorry to remark that it has been unnecessarily complicated. I shall try to summarise the whole position briefly before meeting the objections raised by my honourable friends sitting opposite. When the Badshahi Mosque was handed over to the Mussalmans, it was agreed by the Secretary of State for India and the Anjuman-i-Islamia, Lahore, that they will be jointly responsible for the maintenance and upkeep of this historic building, but unfortunately neither the Secretary of State nor the Anjuman-i-Islamia discharged their responsibility satisfactorily in this connection. For want of repairs the condition of the building deteriorated and the very existence of this great historic monument is in danger to-day. The engineers are of opinion that the repairs will cost no less than eleven lakhs of rupees to bring the building to a fit and satisfactory condition. The Anjuman-i-Islamia has not got sufficient funds to meet this cost. It would also be unreasonable to expect that the Government of India should bear the whole cost of repairs. We could urge upon the Secretary of State to share the cost of repairs according to the agreement if the Anjuman-i-Islamia were in a position to pay its share. The Mussalmans could no longer sit quiet and endanger the existence of their premier place of worship in the province on the plea that the responsibility for repairs and maintenance of this mosque rested with the Secretary of State and Anjuman-i-Islamia. They felt that it was incumbent on them to save this historic mosque from ruin. The Muslim members of the Unionist Party approached the Government to raise funds for the purpose and to take up the repairs of the Badshahi Mosque without any further delay. The Government of India and His Exalted Highness the Nizam of Hyderabad were approached to contribute towards the cost of repairs. The Government of India promised to contribute three lakhs and His Exalted Highness the Nizam graciously promised rupees two lakhs on the condition that the balance will be made available for the completion of the project. In order to secure this amount from the Government of India and His Exalted Highness the Nizam we have to assure them that the balance will be forthcoming. By adopting the resolution under consideration we can satisfy both our donors that the balance will be found to complete the repairs and after securing rupees five lakhs from them we can start repairs without any further delay. It may not be necessary to levy the proposed cess, if we are able to raise this money through subscriptions.

[K. B. Mushtaq Ahmad Gurmani.]

I shall now answer the criticisms and objections which have been raised with regard to this resolution, but before doing so I cannot help saying that the attitude of the Opposition has been most uncharitable and disappointing. At the very outset an honourable member from the Congress benches got up and raised technical objection against this resolution. Without questioning their *bona fides*, I may say that they raised objections after objections to throw out this resolution. They should have been better advised to refrain from making attempts to meddle with the private and religious affairs of the Mussalmans. My honourable friend Mian Abdul Aziz objects to the appointment of the proposed committee to supervise the repairs of the mosque fearing that the Government control with regard to management of the mosque may not thus be introduced. This objection has been adequately met with by the Honourable Premier, who has made it quite clear that the Government has no intention of interfering with the internal management of the mosque. All of us on this side of the House equally feel very strongly on this point and we cannot for a moment allow any Government to interfere in the religious and personal affairs of our community. The past history of the Mussalmans bears ample testimony to the fact that whenever anyone tried to interfere in their personal and religious matters, they put up a united front to resist it even at the cost of their lives. We shall not lag behind our predecessors to protect and safeguard our religious freedom and shall consider no sacrifice too great to uphold the dignity and honour of our community. As regards the control of worship there can be no two opinions on the subject. All the Muslims are unanimous that they should have complete freedom in this respect. My honourable friend need have no misgivings in this behalf. No Mussalman can tolerate any outside interference in this matter. My honourable friend should realize that even the British Government honoured the right of the Muslims and handed over complete charge of the mosque to them. How can it be imagined that their own Government would ever think of interfering with their religious freedom? The committee mentioned by the Honourable Premier will only supervise the repairs and will consist of representatives of the Government of India, His Exalted Highness the Nizam, the Punjab Government and the Anjuman-i-Islamia, Lahore. It is only fair that the Governments and individuals who are contributing large amounts of money should have a guarantee that their money will be rightly spent on the purpose for which it is given. Let me cite an example for the information of the House. About two years ago the Egyptian Government offered a large amount of money to carry out repairs of the Holy 'Haram' at Medina. They sent their own engineers and subordinates for the execution of the work and the Hedjaz Government readily accommodated the Egyptian Government in this matter, though the Hedjaz Government could have easily refused the intervention of a foreign Government in the duties of their own Public Works Department. But they appreciated the natural desire of the Egyptian Government to have the satisfaction of securing full value for their money. Now coming to the other objections of the Opposition, I would submit that they have laid great emphasis on the point that the poor agriculturists who are already groaning under a heavy burden of taxation should not be taxed any more. My friend Mian Iftikhar-ud-Din has suggested that only big zamindars should be made to contribute towards this object.

Let me make it quite clear at the very outset that if sufficient funds are forthcoming through the voluntary subscriptions it may not at all be necessary to levy the cess. As I have already said the purpose of moving this resolution merely is to give a guarantee to the Government of India and His Exalted Highness the Nizam that if we are unable to raise funds through subscriptions we shall be even prepared to levy cess on the Mussalmans of the province in order to find the balance required for the repairs. I am glad that my Congress friends have found an occasion to show their sympathy for the poor zamindars but let me tell them that they have selected a most inopportune occasion. Let my friends realize that every Mussalman will be only too glad to take part in such a noble work as this. I may also point out to them that Islam makes no distinction between rich and poor. It is the privilege of every Mussalman irrespective of his position or station in life to take part in the service of *Allah*. There is no discrimination between the rich and the poor in Islam. They have equal rights in and same duties towards their religion. Islam believes in the equality of all believers as Dr. Sir Muhammad Iqbal has said :—

ایک ہی صف میں کھڑے ہو گئے محمود و اباز  
 نہ کوئی بندہ رہا نہ کوئی بندہ نواز  
 تیری سرکار میں پہونچے تو سبھی ایک ہو گئے  
 بندہ و صاحب و محتاج و غنی ایک ہو گئے

**Dr. Gopi Chand Bhargava :** Do you treat them all alike in the matter of taxation alone or even in the matter of earning money ?

**Khan Bahadur Mian Mushtaq Ahmad Gurmani :** Islam believes in equality of opportunity. We do not believe in capitalism, we do not depend on Birlas. Every one of us rich or poor considers it a privilege and pride to contribute his humble share in the service of his religion and society.

If my honourable friends had considered this question calmly they would have realized that the proposed cess can in no way prove a burden on a poor man. About 70 per cent. of Muslim landowners belong to the category of peasant proprietors who pay five rupees or less land revenue per annum. In case a cess is levied on them for two harvests they will have to contribute only 5 pice in all. Do my honourable friends think that a contribution of 5 pice for such a laudable object can ever be felt as a burden by anybody ? Let me inform my honourable friend Mian Iftikhar-ud-Din that the number of big landholders among Muslims is not very large in this province. The number of those who pay Rs. 500 or more land revenue is hardly 1,500. So the object in view cannot be achieved by taxing only 1,500 persons in this province. According to the proposed formula every Muslim zamindar will be assessed on a sliding scale. The poorer will pay a nominal amount while the richer will pay a larger sum according to his land revenue paying capacity. I think the proposal is very reasonable and I can assure my friends sitting opposite that even the poor among the Mussalmans will be happy to contribute towards this fund. The Leader of the Opposition remarked that the Government might probably put certain restrictions on the political meetings to be held in the mosque. He further said that

[K. B. Mushtaq Ahmad Gurmani.]

political meetings of not only Muslims but of Hindus and Sikhs used to be held in the Badshahi Mosque in the year 1919. Let me tell him quite frankly that Muslims consider their mosques more sacred than a meeting hall and they are not prepared to convert their sacred mosques into a Bradlaugh Hall. Did Hindus and Sikhs hold their political meetings in mandars and gurdawaras in 1919? If not, why should they select Muslim mosques for their political meetings?

**Dr. Gopi Chand Bhargava :** Do you think that the mosques at present are closed to Hindus and Sikhs?

**Khan Bahadur Mian Mushtaq Ahmad Gurmani:** We cannot allow you to treat our mosques as places for political meetings. It is the right of the Mussalmans to worship in their mosques or to hold meetings without any interruption or interference by others, but they cannot reduce the position of their mosques to that of mere meeting halls. Before I conclude, I must thank my honourable friends, Diwan Chaman Lall and other non-Muslim members who have kindly offered to contribute towards this fund. Every one of us is grateful to them for this very kind and noble gesture of goodwill. I would request my honourable friends to withdraw their objections and let the House adopt this resolution unanimously.

**Chaudhri Muhammad Abdul Rahman Khan** (Jullundur North, Muhammadan, Rural) (*Urdu*) : Sir, it is really a matter of great pleasure that the question now before the House has a very important religious aspect. In fact it has two-fold importance. One is that subscribing to the proposed fund would be an act of *swab* and the second is that we would be maintaining an immemorial monument of old Muhammadan kings. In this connection my submission is that the sum of rupees three lakhs to be contributed by the Government of India has come out of the pockets of the zamindars and it is a thousand pities that in order to collect more funds the Government is again going to impose a cess of one pice per rupee on all land revenue to be paid by the Muslim zamindars of the province for the next two harvests. May I know why Government have not thought it advisable to levy a similar tax on the salaries of all Muslims in the service of Government or local bodies and on the incomes of traders and manufacturers as well? I strongly request the Government that they should impose a similar tax as they have proposed to impose on the Muslim zamindars. This will facilitate matters inasmuch as the portion of the burden that is now going to fall on the shoulders of the small holders, will be shifted on to others as well and in consequence the zamindars will be quite prepared to pay their share. In this way almost all Muhammadans will be able to participate in this pious act. I propose that Muslims in the service of Government or local bodies may be charged a cess at the following rates :—

One pice per rupee on salaries above Rs. 15.

• One anna per rupee on salaries above Rs. 50.

Two annas per rupee on salaries above Rs. 200.

Four annas per rupee on salaries of Rs. 3,000.

I offer this suggestion with a view to leaving out those zamindars, if any, who cannot afford to pay.

Besides, I may be permitted to make another suggestion and that is that the Muslim members of this Honourable House may be asked to contribute towards this fund a sum equal to half the amount of their allowances to be paid to them during the longest session of the year (*laughter and cheers*).

Now, I turn to some of the remarks made by my honourable friends, Khan Bahadur Mian Mushtaq Ahmad Gurmani. The honourable member was pleased to remark that as they were Muslims and Muslims were in a majority in this Assembly, the control of the purse of this fund would remain in their hands and they would make use of it as best as they could. That is perfectly true. The Muslims are in power no doubt, but my submission is that by name they are Muslims, by appearance they are Swami Daya Nands and by inclination they are English (*laughter*), and as such they cannot be expected to act in accordance with the true spirit of Islam. (*Cheers*). Anyhow I would not oppose the resolution, because this fund is being raised to perform an act of *swab*. At the same time our religion teaches us that if anyone supplies even a brick for the construction of a mosque he would receive a heavenly reward for it. I, therefore, submit that small holders may be allowed to contribute their mite towards this fund. Let me again request the Government that they may by all means impose a higher cess on those Muslims who pay Rs. 500 or more as land revenue. I being one of them will be quite prepared to pay the amount so assessed but the Government must also levy a similar tax on the salaries of the Muslims in the service of Government or local bodies. With these words I support the resolution under consideration.

**Mr. K. L. Gauba :** Sir, I beg leave to withdraw my amendment.

*The amendment was by leave withdrawn.*

**Mian Abdul Aziz** (Outer Lahore, Muhammadan, Urban): The proviso which I propose to add to the resolution clearly shows that I am not in the least against the resolution. I support the resolution. There should be no misunderstanding about it, but if I can get an assurance from the Honourable the Premier that at the time of drafting the agreement he will keep the purport of the amendment in view I will not have any objection in withdrawing it. I move the following amendment :

That the following proviso be added :—

Provided that there is no interference, either directly or indirectly, on the part of the Government in the management of the said mosque which should be in strict accord with the Muhammadan Law.

**Mr. Speaker :** Resolution under consideration, amendment moved is—

That the following proviso be added :—

Provided that there is no interference, either directly or indirectly, on the part of the Government in the management of the said mosque which should be in strict accord with the Muhammadan Law.

**Mian Abdul Aziz :** I am advised by my friends to withdraw my amendment as the assurance is forthcoming. I beg leave to do so.

*The motion was by leave withdrawn.*

**Premier** (The Honourable Major Sir Sikander Hyat-Khan): Sir, I should like to say a few words before the motion is put to the House. I am glad that you enabled my friends on the Opposition benches to have their say with regard to this resolution and I am also aware that there are

[Premier.]

several members on this side of the House who wanted to speak on the motion, but I am sure that they too are glad that you gave an opportunity to my friends opposite to vent their feelings and put forward their views. After all we are more or less agreed on this point and I wanted to hear the Opposition.

I have not got very much to say except one or two words about my honourable friends opposite. I was not surprised when my non-Muslim brethren from those benches got up and tried on the pretext of protecting the poor zamindar to belittle the significance of this resolution on the score that if it had been confined to bigger zamindars only, Government would have had their fullest possible support, but they wanted to protect the smaller zamindars and therefore they supported the resolution subject to certain reservations. They entered a caveat against levying a cess or imposing a cess on the smaller zamindar.

But I was really surprised when my honourable friend representing the Kasur constituency got up and moved his amendment and spoke more or less in the same strain. I was not aware that the religious training and instruction which he had probably received in his childhood, he has almost completely forgotten or that it had been completely obliterated during the few years he has been dabbling in politics.

**Mian Muhammad Iftikhar-ud-Din :** In what way has my religious training betrayed me ?

**Premier :** He will not have to wait for long, for I am going to give the reasons to the House now. My honourable friend Malik Barkat Ali very emphatically pointed out that so far as contributions towards a laudable object like the preservation or repairing or building of a mosque are concerned, every Muslim, rich or poor, vies with one another to contribute.

**Mian Muhammad Iftikhar-ud-Din :** Are all Muslims included ? What about Government servants ?

**Premier :** Every Muslim, a poor Muslim and even more so a rich Muslim.

**Mian Muhammad Iftikhar-ud-Din :** What about *kamins* ? What about tenants ?

**Premier :** I am coming to that. My honourable friend's point was that we should save the poor zamindar. Now let us analyse that a little further. We are all aware that nearly 80 per cent. of the zamindars pay Rs. 10 or less than Rs. 10 as land revenue in this province. Now, is it the object of my honourable friend in his enthusiasm and zeal to make a political capital to deprive 80 per cent. of the Muslim zamindars from getting that religious merit or that *swab* which they will get by paying about 2½ annas ?

**Mian Muhammad Iftikhar-ud-Din :** *Swab* comes when it is voluntary payment.

**Premier :** I think my honourable friend is entirely out of touch with Muslim opinion and sentiment when he thinks that any Muslim is going to grudge paying 5 pice or one anna or two annas to save a monument like the Badshahi Mosque at Lahore. (*Hear, hear and applause*).

**Mian Muhammad Iftikhar-ud-Din :** He is forced to pay.

**Premier :** I am surprised that my honourable friend should have lowered himself to such an extent in his zeal to make political capital to forget the religious zeal and importance—

**Mian Muhammad Iftikhar-ud-Din :** Where does religious zeal come in ?

**Premier :** In this respect that a Muslim whether poor or rich is equally zealous.

**Mian Muhammad Iftikhar-ud-Din :** Are all Muslims included in this ?

**Premier :** Perhaps my honourable friend opposite is restive under the lash. So I will not pursue that. But let me remind him that he cannot possibly misguide the poor Muslims as he calls them, who are equally my brethren and I hope they are his brethren too, but I can assure him that I enter into their religious spirit more than he does when I say that if I had excluded them out of this matter I would have been the most unpopular Muslim among the Muslim zamindars in the Punjab. (*Cheers*).

My honourable friend, the Leader of the Opposition, has very kindly made an offer that we should levy a cess on non-Muslims also. My honourable friends on these benches have also very kindly and very magnanimously made a similar offer. I am grateful to them for their offer and I welcome this gesture which I think is the spirit which we want to see pervade throughout the province and encouraged in the province, and I am sure that when a public appeal is made my non-Muslim friends will contribute generously so as to vindicate the promises and offers made.

**Mian Abdul Aziz :** We welcome it, but according to Muhammadan law we cannot accept it.

**Premier :** I am afraid I am not an authority on it and therefore I do not want to join issue with my friend opposite. But ways and means can be found to spend that money which is collected though not on the actual building but on something connected with it. Similarly it has been suggested that non-zamindars also should be included. In the public appeal which we propose to make for this purpose I am sure that my non-zamindar friends also will contribute lavishly and generously. But if as I said we eventually find the amount realised by way of subscriptions made voluntarily falls short of the amount we require, it is then and then alone that we intend bringing forward legislation and when that legislation is before the House, my non-zamindar friends will be welcome to move an amendment to the effect that they may be allowed to come within the purview of this. As I have tried to explain, I have brought forward this resolution as I want to assure the Government of India that we are prepared to accept their generous offer and the generous offer made by His Exalted Highness the Nizam and that if the amount falls short we are prepared to guarantee the balance, so that this laudable object is not left unfulfilled. I am almost certain that in response to the appeal which we propose to issue, the whole amount which we require will be forthcoming. But if unfortunately it does not come, it is then and only then that we will put into effect the terms of this resolution.

[Premier.]

There is only one other point on which stress has been laid by my honourable friends opposite, my honourable friends representing Lahore. Let me assure them with all the emphasis I can command once more that so far as the control of worship and control of meetings inside the mosque are concerned, there would be no official hand or interference whatsoever. (*Hear, hear*). As I tried to explain to them I made it quite clear to the Government of India that we will accept that contribution only on the condition that so far as the control of worship and control of meetings is concerned, there will be no control from any quarter except the Muslims themselves. It has been asked, why should the Government of India suddenly become generous and pay these 3 lakhs of rupees? Let me explain. The Government of India are also bound by the agreement which is already referred to, which is very loosely worded. It is vague and indefinite. So the advantage which the Government of India would get is this: they will get definitely and once for all out of this vague and indefinite liability by payment of three lakhs of rupees and they would be discharging their liability to keep the mosque in proper repair. It is for that reason that we want to have a permanent endowment, so that we will not be beholden to anybody with regard to the maintenance and repairs of the mosque. The Government of India derive the advantage in this way, and we will no longer be beholden to them or the Department of Archaeology for the immediate or urgent or annual repairs of the mosque. Now, if I had accepted my honourable friend's amendment the result would have been that some extraneous authority would have a right to interfere in our worship. I am not for a moment prepared to concede to anybody, whether it is the Government of India or the Punjab Government as at present constituted or may be constituted later on—even if it is constituted entirely of Muslims—I am not prepared to concede to anybody, any authority outside the Muslims themselves, as the authority who are entitled or have the right to control Muslim worship. (*Hear, hear and applause*). That is the position. The body which at present is in control of the mosque is the Anjuman-i-Islamia. As my honourable friends are aware, in 1925 when the mosque was handed over to the Anjuman-i-Islamia, it was handed over to them because it was a representative Muslim body. But my honourable friends opposite will concede that Anjuman-i-Islamia is such a big body as to be too unwieldy to control worship and the meetings and all the day-to-day affairs of the mosque. It is impossible to get all the members together. Even now the work is done by the Chairman or the Secretary or the members of the executive committee. What we actually propose is to have a smaller body, a representative but smaller body which will control the worship inside the mosque and also the meetings. That body will consist of 9 members. The original suggestion was 4 members to be selected by this *ad hoc* committee and 5 members by the Anjuman. But the Anjuman in reply said that they should be allowed to elect 6 members and that the *ad hoc* committee should have the right to have 3 members. I am quite prepared to accept that proposal and I support it with all the emphasis I can. I am going to write to the Government of India that this proposal should be accepted. The result will be that so far as control of worship and meetings is concerned, that body,

which will control it, will consist of 6 members elected by the Anjuman and 3 other Muslim members elected by this body. Now it may be asked why 3 members by this *ad hoc* body? For the very simple reason to avoid friction. We all agree that this endowment fund should be operated upon and should be controlled by a special committee. Now that committee, in addition to special and extraordinary repairs on which we are going to spend about 8 lakhs, will have an endowment fund of about 3 lakhs, which would give an income, roughly speaking, of ten thousand rupees a year for the purpose of annual maintenance of the mosque. The whole of that money may not be spent on repairs and there would be a balance every year, which would be spent on other laudable objects, for instance, opening a *madrassa* inside the mosque or teaching *diniat* or something of that kind. Therefore, unless some members of this *ad hoc* committee were also members of the other bigger committee, there might be some difficulty in getting that money. A portion of that money, say four or five thousand rupees per annum which accrue to the committee, will be under the control of that *ad hoc* body. Now in addition to that, any spare money, which is available, will also be at the disposal of that committee, provided the committee is sure that that money would be properly spent. What could be more reasonable than to suggest that some members of that committee should be represented on the bigger committee so that there is no friction and there is smooth working. This is the object. There is no sinister motive behind that and I can assure my honourable friends opposite that it never entered anybody's mind that we should allow any interference so far as our worship is concerned. I will make it clear that when the Government of India pays that amount they shall have no right of interference, so far as worship and control of meetings in such mosque is concerned. I hope that will satisfy my honourable friends opposite.

My honourable friend from Lahore also suggested that I should consult him in regard to details. They are not very many, and I shall be only too glad to have his views. If he has any to offer he is welcome to come to me any time. In conclusion I wish to thank my honourable friends opposite for their kind and generous offer. I hope that, when we issue that appeal, they would try to redeem that offer in the spirit in which it has been made to-day.

**Mian Muhammad Iftikhar-ud-Din :** I rise to offer a word of personal explanation. I am rather surprised to hear from the mouth of the Honourable Premier that he has tried to make a capital out of what I have said.

**Mr. Speaker :** Is this a personal explanation?

**Mian Muhammad Iftikhar-ud-Din :** It is a personal explanation on which I have risen. He has tried to make out that I wanted to deprive certain sections of Muslims from taking part in this *swab*. In the resolution itself all sections of Muslims are not included. It does not include Government servants and he has tried to make out.....

**Mr. Speaker :** Order, order. Will the honourable member please give his explanation?

**Mian Muhammad Iftikhar-ud-Din :** It is entirely a wrong charge. It would be a *swab* only if the contributions are voluntary.

**Mr. Speaker :** Resolution moved is—

That this House views with approval the proposal to raise an endowment fund for the repairs and maintenance of the Badshahi Mosque, Lahore, an important monument of great historical and archaeological value in a manner worthy of the principal place of Mussalman worship in the province and recommends that Government should, if it considers necessary, undertake legislation for the imposition of a cess of one pice per rupee on all land revenue paid by Muslims in the province for not more than two harvests.

The question is that that resolution be adopted.

*The motion was carried.*

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#### PROGRAMME OF BUSINESS.

**Premier :** As you are aware, Sir, in the next week two days are allotted for non-official business. But during the next week,

7 P.M.

I am going to suggest that, after Government Bills have been disposed of, we should proceed with other official business, that is, Rules of Procedure, which has been left over from the previous official day and that, if necessary, we should also continue official business on the 27th and 28th of this month.

*The Assembly then adjourned till 2 P. M. on Thursday, 20th January, 1938.*

# PUNJAB LEGISLATIVE ASSEMBLY

1ST SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Thursday, 20th January, 1938.

The Assembly met at the Council Chamber at 2 p.m. of the clock.  
Mr. Speaker in the chair.

## STARRED QUESTIONS AND ANSWERS.

### ACHHUTS IN PUBLIC HEALTH DEPARTMENT.

**\*1172. Seth Kishen Dass :** Will the Honourable Minister of Education be pleased to state—

- (a) the percentage of Hindus, Muslims, Sikhs and others separately in the Public Health Department ;
- (b) whether it is a fact that the *Achhuts* are unrepresented or inadequately represented in that Department ; if so, the steps the Government proposes to take to make up their deficiency ?

**The Honourable Mian Abdul Haye :** (a) According to the Census of Government servants in superior service taken in January 1937 the percentage is as follows :—

				Per cent.
Hindus	..	..	..	47·6
Muslims	..	..	..	39·8
Sikhs ..	..	..	..	11·4
Others	..	..	..	Nil.

In the inferior service out of a total strength of 51 there are 12 *Achhuts*.

(b) No qualified *Achhut* candidate has applied for a superior post but if qualified candidates belonging to scheduled classes are available their claims will be duly considered.

**Lieutenant Sodhi Harnam Singh :** May I know what posts have been given to the *Achhuts* ?

**Minister :** Inferior services.

**Lala Harnam Das :** How many dispensers have been taken from amongst the *Achhuts* for the class that has been started at the Medical School, Amritsar ?

**Minister :** That question does not relate to the Medical Department, but to the Public Health Department.

## ACHHUTS IN INDUSTRIES DEPARTMENT.

**\*1173. Seth Kishen Dass :** Will the Honourable Minister of Development be pleased to state—

- (a) the percentage of Hindus, Muslims, Sikhs, and others separately in the Industries Department ;
- (b) whether it is a fact that the *Achhuts* are unrepresented or inadequately represented in that Department ; if so, the steps the Government proposes to take to make up their deficiency ?

**The Honourable Chaudhri Sir Chhotu Ram :** (a) The attention of the honourable member is invited to the consolidated statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on the 1st January, 1937.

(b) Some *Achhuts* are employed though their number is small. Appointments to technical posts are made after a test. If any qualified *Achhuts* pass the test, their claims will receive special consideration.

## ACHHUTS IN ELECTRICITY BRANCH.

**\*1174. Seth Kishen Dass :** Will the Honourable Minister of Public Works be pleased to state—

- (a) the percentage of Hindus, Muslims, Sikhs and others separately in the Electricity Branch of the Public Works Department ;
- (b) whether it is a fact that the *Achhuts* are unrepresented or inadequately represented in that Branch ; if so, the steps the Government proposes to take to make up their deficiency ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) The attention of the honourable member is invited to the consolidated statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on the 1st January, 1937.

(b) The *Achhuts* are not unrepresented in this Branch, as 2 of them are employed as clerks and one as an Estimator.

There appears to be a great dearth of qualified *Achhuts* and in the few cases in which they have applied, they have been accorded sympathetic treatment.

## ACHHUTS IN CO-OPERATIVE DEPARTMENT.

**\*1175. Seth Kishen Dass :** Will the Honourable Minister of Development be pleased to state—

- (a) the percentage of Hindus, Muslims, Sikhs and others, separately in the Co-operative Department ;
- (b) whether it is a fact that the *Achhuts* are unrepresented or inadequately represented in that Department ; if so, the steps the Government proposes to take to make up their deficiency ?

**The Honourable Chaudhri Sir Chhotu Ram :** (a) The honourable member is referred to the answer given to part (a) of question No. \*661<sup>1</sup> on Thursday, the 22nd July, 1937.

(b) No applications for appointments have been received from *Achhuts*. Should any be received from qualified candidates they will receive full consideration.

#### ACHHUTS AND FERRIES OF RIVER BEAS.

**\*1176. Seth Kisben Dass :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether the Government is aware of the fact that in the Kangra district in the rainy season when the river Beas is in flood the ferry-men possessing licenses granted by Government do not allow the *Achhuts* to cross the river in their boats at Sujampur, Thehra, Hamirpur and other ferries ;
- (b) whether it is a fact that there are no other means of crossing the river ;
- (c) if the answers to parts (a) and (b) be in the affirmative, the steps the Government proposes to take in the matter ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) The *Achhuts* are never refused by the boatmen to cross the river Beas in boats at ferries maintained by the District Board, Kangra.

(b) During the rainy season when the river is in flood, crossing is effected by means of inflated skins and the *Achhuts* are not generally refused crossing. It appears, however, that some dispute exists between the *Chamars* and the boatmen who also are *Achhuts* in respect of certain ferries. A warning has been issued to the boatmen that should they fail to observe the rules and regulations governing the control of ferries, they will be replaced.

(c) Does not arise.

#### KIRTI NEWSPAPER.

**\*1177. Shrimati Raghbir Kaur :** Will the Honourable Premier be pleased to state—

- (a) whether he is aware of the fact that the security of the Gurmukhi newspaper " Kirti " published from Amritsar was forfeited last year for publishing the presidential address read by Comrade Munshi Ahmad Din at the Cheema Kalan Conference, district Jullundur ;
- (b) whether he is also aware of the fact that Comrade Munshi Ahmad Din who was prosecuted for sedition on account of the said address was acquitted by the High Court ;
- (c) whether the Government intends to take any action with regard to refunding the forfeited security of the said paper ?

**Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana):** (a) No.

(b) Yes, but the court held he had been sufficiently punished for seditious remarks by the imprisonment he had already undergone.

(c) No.

#### LYALLPUR MUNICIPAL COMMITTEE.

**\*1178. Khawaja Ghulam Husain:** Will the Honourable Minister for Public Works be pleased to state—

(a) the total number of the members of the Lyallpur Municipal Committee and the number of Muslim members in the said committee ;

(b) whether there is any elected Muslim member on the Lyallpur Municipal Committee ; if not, why not ;

(c) since how long the said Municipal Committee is functioning without any elected Muslim member ;

(d) the normal life of the Lyallpur Municipal Committee and when the last general elections for the same were held ;

(e) whether the normal life of the said Municipal Committee has already expired, if so, why the general elections have not been held so far ;

(f) whether the Government proposes to extend the term of the present Committee ; if so, for how long ;

(g) when did the Government take final decision regarding increase in the number of members and reconstitution of the Lyallpur Municipal Committee ;

(h) the approximate dates when the next general elections will be held for the said committee ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana:** (a) The existing constitution of the Municipal Committee of Lyallpur is 16 members of whom 12 are elected and 4 appointed. No Muslim was elected at the time of the last elections. Two Muslims were nominated but they resigned in 1934. Of the two remaining nominated members one is a Muslim.

(b) None as Muslims boycotted the last general elections and the non-Muslims secured all the elected seats.

(c) Since 1934.

(d) The last general elections were held in October 1933 but the result of those elections was notified by the Commissioner, Multan division on the 23rd January 1934. The normal life of a Committee is three years.

(e) Yes. Government have agreed to increase the total number of members of the committee from 16 to 26, of whom 21 shall be elected and 5 appointed. The delay is due to the revision of wards.

(f) No. Government propose to hold the next general elections as soon as possible.

(g) The final decision was made in May 1937.

(h) It will take about a year to hold the next general elections.

**Khawaja Ghulam Husain :** Do the Government propose to make any nominations in view of the fact that elections are not to be held soon ?

**Minister :** That matter is being considered by the Government.

**Khawaja Ghulam Husain :** When is a decision likely to be arrived at ?

**Minister :** I am afraid I cannot specify the time.

**Khawaja Ghulam Husain :** Will nominations be made from amongst the Muslims ?

**Minister :** When the matter is under consideration it means that details have not been worked out.

**Khawaja Ghulam Husain :** Has the matter been referred to the Honourable Member so far ?

**Minister :** Not officially.

**Khawaja Ghulam Husain :** Is it a fact that the Deputy Commissioner has invited applications for nominations to the local Municipal Committee ?

**Minister :** I am not aware of that.

**Khawaja Ghulam Husain :** Is the Deputy Commissioner proceeding without the sanction of the authorities ?

**Minister :** Probably he may seek official sanction later on.

**Khawaja Ghulam Husain :** Has the Honourable Member given any consideration to the matter ?

**Minister :** I have already replied to that.

**\*1179.** (*See debates of 24th January, 1938.*)

#### LORRIES AND CARS.

**\*1180. Khawaja Ghulam Husain :** Will the Honourable Minister for Revenue be pleased to state—

(a) the total number of lorries and cars that are registered in the Punjab ;

(b) the number of those vehicles which are privately owned ;

(c) the total income from road tax imposed upon vehicles mentioned in (a) above ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) and (b). According to the latest returns there are 19,121 motor vehicles registered in the Punjab, of which 11,061 are private vehicles ; but owing to the fact that many owners fail to make the prescribed reports when their vehicles go out of use or are taken out of the province, these figures may become misleading. At present some 11,200 vehicles are assessed to the provincial motor tax, and this figure may be taken as representing fairly accurately the number in actual use in the province. Out of these rather more than half are private vehicles.

(c) Rs. 7,29,306.

**Sardar Hari Singh :** May I ask the honourable member to state the income from public vehicles alone ?

**Minister :** I am afraid I cannot give him that information off hand.

#### CLAIMS OF MUSLIM RAJPUTS OF AMBALA FOR PROVINCIAL SERVICES.

**\*1181. Sufi Abdul Hamid Khan :** Will the Honourable Premier kindly state whether he is aware of the fact that no direct recruitment for any of the provincial services has been made from among the Muslim Rajputs of Karnal and Ambala districts since the inauguration of Montague-Chelmsford Scheme ; if so, whether he intends to consider their claims while making recruitment for these services in future ?

**Parliamentary Secretary (Mir Maqbool Mahmood) :** The reply to first part of the question is in the negative. In accepting candidates for appointment to the various provincial services, Government take the following factors into consideration :—

- (i) their merits ;
  - (ii) the religion they profess ; and
  - (iii) whether they are agriculturists or non-agriculturists.
- They cannot undertake to consider any other factor.

#### SCARCITY OF DRINKING WATER IN CERTAIN VILLAGES IN AMBALA DISTRICT.

**\*1182. Sufi Abdul Hamid Khan :** Will the Honourable Minister for Education be pleased to state whether it is a fact that there is scarcity of drinking water in some of the villages of Ambala, Naraingarh and Kharar tahsils of the Ambala district ; if so, the steps that he contemplates to take to remove this dire necessity of the people in the said villages ?

**The Honourable Mian Abdul Haye :** Yes. Grants-in-aid amounting to Rs. 26,496 have already been given by Government for water supply schemes in these tahsils since the year 1933. Schemes estimated at Rs. 8,006 have recently been recommended by the Sanitary Board for grants-in-aid and are now under the consideration of Government. Other schemes at an estimated cost of Rs. 42,078 are pending with the Sanitary Board, Punjab.

#### DAMAGE BY HILL TORRENTS IN AMBALA DISTRICT.

**\*1183. Sufi Abdul Hamid Khan :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether he is aware of the fact that there are innumerable hill torrents in the whole of the Ambala district and that these hill torrents deposit sand in the soil and make the land in the said district uncultivable ;
- (b) the area that has thus been rendered barren so far ;
- (c) the compensation that he intends to grant to the owners of such lands ;

- (d) the steps, if any, that he contemplates to take to protect from further damage the lands and village *abadies* from such torrents ;
- (e) whether he is also aware of the fact that not very long ago Sir Geoffrey deMontmorency, the then Governor of the province, visited the Kharar tahsil when the people of the *ilaga* represented to him the above grievance, thereupon His Excellency was pleased to order an inquiry in the matter ; if so, the action taken or proposed to be taken on the result of that inquiry ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes. The deposit of sand makes the soil unculturable in some cases but in other cases improves its fertility.

(b) An accurate estimate is not available as detailed inspections are necessary. A very rough estimate prepared by the Tahsildar of Naraingarh indicates that 62,000 acres have been affected in this tahsil. No other figures are at present available.

(c) In such cases the revenue is decreased at the time of quadrennial attestation of revenue records.

(d) The attention of the honourable member is invited to the answers given to questions No. \*5835<sup>1</sup>, part (d) and No. \*5836,<sup>2</sup> part (c) in the last session of the Legislative Council.

Rs. 1,100 were sanctioned for reclamation of land under *chos* and *naddis* during 1937-38 and Rs. 1,323 have been provided in the departmental budget estimate for 1938-39.

(e) No record has been traced of what His Excellency Sir Geoffrey deMontmorency pronounced on the occasion of his visit to Kharar tahsil in 1931. An officer has been placed on special duty in this connection whose report is still awaited.

#### GRANT OF LANDS TO AGRICULTURISTS IN AMBALA DISTRICT.

**\*1184. Sufi Abdul Hamid Khan :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the zamindars of the Ambala district own very small holdings of land, most of which are further damaged by hill torrents and the river Sutlej ;
- (b) whether it is also a fact that there is no canal in the district and the agriculturists here mainly depend on rains ;
- (c) whether the Government is aware of poor condition of these agriculturists ; if so, whether the Government intends to take any action in regard to their relief ; if so, the nature of such an action ?

<sup>1</sup>Volume XXIX, page 39.

<sup>2</sup>Volume XXIX, page 41.

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes, holdings are rather small in two—Kharar and Rupar—of the five tahsils of the Ambala district. It is also true that a number of villages are adversely affected every year by hill torrents and river action.

(b) Some 20 villages of the Jagadhri tahsil are irrigated by canal but the rest of the district is dependent on rain.

(c) Government is fully alive to the needs and difficulties of the agriculturists. It has initiated the work of consolidation of holdings on a large scale. A special Forest Officer has been appointed to advise on general forest policy in order to control hill torrents and stop erosion. Government is also examining the possibility of sinking tube wells in suitable tracts. All this is in addition to the general activities of the beneficent departments. In the case of failure of rains, the hardship is generally met by liberal suspense and remissions of land revenue.

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INCLUSION OF AMBALA DISTRICT IN SCHEME OF IRRIGATION  
BY TUBE WELLS.

**\*1185. Sufi Abdul Hamid Khan :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that the introduction of the scheme of irrigation by tube-wells is under contemplation ;

(b) whether the Government has included or contemplates to include the whole of Ambala district and particularly the *ilaqa* called " Naili " of Karnal district in the said scheme ?

**The Honourable Dr. Sir Sundar Singh Majithia :** The reply to the first part of this question is in the affirmative.

The reply to the second part of the question depends on (1) whether the subsoil water in the Ambala district is available and suitable, (2) whether electricity can be made available at a reasonable rate. Investigation into this aspect of the matter is under contemplation.

**Sardar Hari Singh :** May I ask the Honourable Minister for Revenue if the Government deputed some official or non-official to study the system of tube-wells in the United Provinces ?

**Minister :** Yes.

**Sardar Hari Singh :** Did he submit a report ?

**Minister :** A reply will be given while answering another question when that is put.

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FIXATION OF THE LIMITS OF SIWALIK HILLS AND ITS EFFECT ON  
CERTAIN PEOPLE.

**\*1186. Sufi Abdul Hamid Khan :** Will the Honourable Minister for Revenue be pleased to state—

(a) the date and time when the limits of the Siwalik Hills were fixed in the district of Ambala and why ;

- (b) whether he is aware of the fact that before the fixation of the boundary people living under these hills, whose main occupation was the keeping of cow-herds and goats, used to get their fodder and fuel from these hills ;
- (c) whether it is a fact that on the fixation of these limits those people were prohibited from cutting the wood and grazing their cattle in these hills ;
- (d) whether it is also a fact that at the same time Government introduced a scheme of afforestation in these hills, if so, the amount of expenditure that the Government had to incur and whether the scheme has been successful or not ;
- (e) whether the Government has drawn any appreciable monetary benefit by the preservation of these hills and whether this benefit is more than the loss sustained by these people ;
- (f) whether the Government has granted or intends to grant these people lands with a view to compensating them for the loss suffered by them ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) The date and time was the 23rd September, 1914, *vide* Punjab Government Notifications Nos. 458 and 459, dated the 22nd September, 1914. The object was to provide for the better preservation and protection of certain local areas situated within or adjacent to the Siwalik Mountain range and affected or liable to be affected by the deboisement of forest in that range and by the action of the Chos.

- (b) Yes. But the supply of fodder and fuel was rapidly disappearing.
- (c) Yes. Cutting of trees and collection or removal of timber is, however, allowed in case of *bona fide* domestic or agricultural purposes.
- (d) Yes. Rupees 82,000 have been paid as compensation to the owners for prohibition of goats and sheep in the areas referred to in the notifications mentioned in part (a) of this question. Rupees 26,000 have been expended on sowing operations in the four plantations of the district. The results have been somewhat disappointing but fresh efforts are being made.
- (e) Government had no direct monetary gain in view. The zamindars will profit from improved vegetations : from the protection they will receive against floods, which otherwise would destroy their fertile fields and ultimately perhaps from better rainfall. With the preservation of tree growth water springs are expected to become perennial and to maintain a constant and regular flow of water.

The zamindars have incurred no loss. On the other hand, they are not only to derive benefits from the scheme but were compensated for the prohibition imposed.

- (f) No. They have as indicated above already been paid cash compensation.

**Sardar Hari Singh :** May I ask the Honourable Minister for Revenue if the Forest Committee appointed by the Government went into the question of the grievances of these people referred to in the question ?

**Minister :** I do not think so.

**Lala Duni Chand :** Is it true that the economic condition of the people living in or near the Siwalik Hills is extremely bad ?

**Minister :** It is a matter of opinion and a matter of enquiry, and the result thereof could show us whether it is good or bad.

**Lala Duni Chand :** Is it true that the keeping of goats and sheep was one of the sources of income of these people ?

**Minister :** May be, but the keeping of a large number of goats and sheep does tend to take away vegetation and thus help in erosion.

**Lala Duni Chand :** Is it true that representations have been made by people living in or near the Siwalik Hills to the effect that the scheme of afforestation has affected them very injuriously ?

**Minister :** If my honourable friend will give specific instances, I will make enquiries about the matter.

**Lala Duni Chand :** Is it not a fact that from time to time representations have been made by these people on that point ? That was the question that I put to the Honourable Minister. I want an answer to that question.

**Minister :** My honourable friend ought to understand that the preservation of these hills and forests does not only affect the people immediately concerned but affects people outside that boundary as well (*Hear, hear*).

**Lala Duni Chand :** Is it true that the scheme of afforestation has proved a failure according to the latest information available to the Government ?

**Sardar Hari Singh :** May I ask the Honourable Minister for Revenue whether he remembers the promise he made to this House during the last session of the Assembly at Simla that he would make enquiries into the grievances of the people living in the Siwalik Hills ?

**Minister :** Let me first reply to the previous question put by Lala Duni Chand. Does my honourable friend expect that the effect of action that is being taken in the growing of grass and the plantation of trees in these denuded hills could be expected to come to fruition in a year or so like the doings of a *madari* ? That is not possible. It will take time.

**Lala Duni Chand :** On a point of order. Has the Honourable Minister any right to make such a speech and put any questions to me ?

**Minister :** May I ask whether I put any questions to my honourable friend ?

**Sardar Hari Singh :** May I ask the Honourable Minister for Revenue whether he remembers the promise he made to this House during the last session of the Assembly at Simla while a cut motion by me to the Forest demand was under discussion, that he would make enquiries into the grievances of the people living in the Siwalik Hills ?

**Minister :** Action is being taken on the letter of my honourable friend to me as also to the Financial Commissioner (Development). The matter is going to be considered by the Financial Commissioner who is going to visit this area.

**Sardar Hari Singh :** May I know when the Financial Commissioner is going to these areas to make personal enquiries ?

**Minister :** May I ask whether it is possible for me to give any definite information on this subject as to when the Financial Commissioner could find time to come to this area ? I presume that it will be possible for him to do as early as possible and convenient for him to do so.

**Lala Duni Chand :** Has the question of an enquiry into the grievances of the people of the Siwalik Hills been under the consideration of the Government ?

**Minister :** I am afraid I cannot add anything more to the replies I have already given.

**Lala Duni Chand :** I want information on a particular point whether any enquiry into the grievances of the people has been undertaken by Government ? The Honourable Minister should be in a position to answer that question.

#### SCHEME FOR IMPROVEMENT OF COMMUNICATIONS.

\*1187. **Sufi Abdul Hamid Khan :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that a scheme is under the contemplation of the Government for the improvement of communications in the Punjab ; if so, what is its estimated cost ;

(b) whether the following roads are within its scope :—

- (1) Ambala-Pehowa road,
- (2) Shahabad-Barara road,
- (3) Ambala-Jagadhari road,
- (4) Jagadhri-Bilaspur road,
- (5) Kaithal-Guhla road ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) Yes, at about 125 lakhs.

(b) A road development programme is under preparation. The Punjab Government is, therefore, not in a position to furnish the required information at this stage.

**Sardar Hari Singh :** May I know the important features of the scheme formulated by Government ?

**Minister :** I have given the amount : the details about various roads are to be worked out.

**Sardar Hari Singh :** May I ask how many roads are going to be provincialised ?

**Minister :** As much as can be covered by the amount stated.

**Sardar Hari Singh :** Just a rough estimate.

**Minister :** You can make your own guess.

**Dr. Gopi Chand Bhargava :** What does it cost to build a mile of road ?

**Minister :** We have metalled roads—and unmetalled roads. The cost varies according to the type of road from place to place.

**Dr. Gopi Chand Bhargava :** What is the respective cost ?

**Sardar Hari Singh :** Am I to understand that the Honourable Minister has no well-planned scheme ?

**Minister :** A well-planned scheme is being worked out.

**Sardar Hari Singh :** What are its important features ?

**Minister :** It has been published and the honourable member will have the information about details later.

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PRESIDENT, SMALL TOWN COMMITTEE, BUDHLADA.

**\*1188. Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether the Small Town Committee, Budhlada, district Hissar, elected a non-official President at its meeting held in or about July, 1937 ;

(b) if the answer to (a) be in the affirmative, why the papers were not forwarded to the higher authorities for necessary Gazette notification ;

(c) whether it is a fact that the Deputy Commissioner, Hissar, directed some of the members of the Small Town Committee, Budhlada, to elect the Naib-Tahsildar, Tohana, as their President when they had gone to see him in connection with a complaint against the said Naib-Tahsildar, to the effect that he was using pressure to prevail upon the members to elect him as President ;

(d) whether the members of the said Small Town Committee again elected the same non-official member as their President at a meeting held on 13th October, 1937 ; if so, whether the election of the President has been gazetted ; if not, why not ;

(e) whether it is a fact that the non-official elected President of the Small Town Committee, Budhlada, has been a member of the Committee, for some years ; if so, for how many years ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) Yes.

(b) The papers were not forwarded to higher authorities because the election was not held in accordance with the rules.

(c) No.

(d) Yes ; the election of the President has not yet been gazetted as the matter is under the consideration of Government.

(e) Yes ; He has been a member for 3 years.

**Pandit Shri Ram Sharma :** Why was the first election declared irregular ?

**Minister :** It was not held by ballot.

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LAMBARDARS UTTAM SINGH AND UJAGAR SINGH.

**\*1189. Pandit Shri Ram Sharma :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that two lambardars;

Uttam Singh and Ujagar Singh, have been removed from lambardarship, by the Deputy Commissioner, Ludhiana; if so, reasons for the same?

**The Honourable Dr. Sir Sundar Singh Majithia :** The attention of the honourable member is drawn to the answers given to questions Nos. \*1019<sup>1</sup> and \*1034<sup>2</sup>.

RESIGNATIONS OF LAMBARDARS OF VILLAGE GANNAUR.

**\*1190. Pandit Shri Ram Sharma :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether the Government is aware that the sufedposh and 4 lambardars of village Gannaur, tahsil Sonapat, have resigned;
- (b) whether these resignations are due to the fact that the subordinate staff of the Sub-Divisional Officer, Sonapat, forced them to supply men for purposes of *begar* against the will of the villagers;
- (c) whether the sufedposh and the lambardars made a complaint regarding it to the Sub-Divisional Officer; if so, with what result?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes. They have since applied that their resignations be allowed to be withdrawn.

(b) and (c) No.

**Pandit Shri Ram Sharma :** On what grounds did the lambardars and sufedposhes resign?

**Minister :** The probability is that these lambardars refused to carry out certain duties which were imposed upon them by Government as their respective duties in the ordinary course.

**Pandit Shri Ram Sharma :** Did they prove inefficient in the discharge of their duties and on what date did they resign?

**Minister :** Possibly yes, I cannot give you the exact date.

**Pandit Shri Ram Sharma :** May I know whether these resignations were placed in the hands of the Sub-Divisional Officer at the time the latter made a tour of Gannaur?

**Minister :** It is a question of details and if my friend will give me any specific point I shall give information on it.

**Pandit Shri Ram Sharma :** Is it a fact that a local newspaper of Rohtak stated that these lambardars and sufedposhes resigned because they were forced to procure *begar* for the Sub-Divisional Officer?

**Minister :** I have no knowledge of this.

**Pandit Shri Ram Sharma :** Will the local authorities hold an enquiry into the matter?

**Minister :** Can I add anything to what I have just said?

**Pandit Shri Ram Sharma :** I should like to know whether Government will enquire into the matter?

<sup>1</sup>Pages 383-84 ante.

<sup>2</sup>Page 395 ante.

**Minister :** No.

**Lala Deshbandhu Gupta :** Has the Honourable Minister seen the resignations himself or not ?

**Minister :** Is it necessary for me to see all the resignations when the report is there ?

**Lala Deshbandhu Gupta :** The question was whether it was due to the fact that they were unable to supply *begar*. I want to know whether the Minister has taken pains to know that.

**Minister :** Certainly it was not a question of the supply of *begar*, but it was the question of the supply of provisions on payment.

**Lala Deshbandhu Gupta :** Is it a fact that the resignations were due to non-compliance of the requests of the officials which these lambardars at least understood to be *begar* ?

**Minister :** Can I add anything more on the subject ?

**Pandit Shri Ram Sharma :** Is it a fact that the subordinate staff of the Sub-Divisional Officer demanded certain things from the lambardars and *sufedposhes* as *begar* ?

**Minister :** The reply is in the negative.

**Lala Deshbandhu Gupta :** Is it the duty of the lambardars to supply provisions to the officials ?

**Minister :** It is one of their duties to supply provisions on payment.

**Lala Deshbandhu Gupta :** Was any payment offered by the officials ?

**Minister :** Yes.

**Pandit Shri Ram Sharma :** After how long were the resignations withdrawn ?

**Sardar Kapur Singh :** Is it provided in the rules that the lambardars are required to supply these provisions ?

**Lala Deshbandhu Gupta :** Is it compulsory for lambardars to supply provisions on payment ?

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#### COMPLAINT BY ZAMINDARS OF VILLAGE NADANA.

**\*1191. Pandit Shri Ram Sharma :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that the zamindars of village Nadana, district Rohtak, made a complaint through one Shiv Lal, Jat, in November, 1937, to the Executive Engineer, Rohtak Irrigation Division, against the ill-treatment of the Sub-Divisional Officer, Hansi, the poor condition of the canals and the shortage of water supply ;

(b) whether any inquiry has been made into the said complaint ; if so, the result of the same, and the action taken ; if not, why not ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) The complaint is under investigation.

**GAUR BRAHMANS IN ROHTAK, ETC., NOT DECLARED AS  
AGRICULTURISTS.**

**\*1192. Pandit Shri Ram Sharma :** Will the Honourable Minister for Revenue be pleased to state whether the Government is aware that in the Rohtak, Karnal, Gurgaon and Hissar districts, some Gaur Brahmans are declared non-agriculturists for the reason that the word Gaur is not written with their names through oversight in the revenue papers ; if so, the action Government intends to take in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** Apparently cases of this kind do sometimes occur. But aggrieved persons can always apply for a change of caste entry to the local officers, who will deal with them under the rules applicable.

**Pandit Shri Ram Sharma :** Were any complaints of this sort made to the Deputy Commissioner, Karnal ?

**Minister :** As I have said previously, the replies are given after enquiries made from the district officers.

**Pandit Shri Ram Sharma :** May I know whether Government are confident that no representation of this sort from the Karnal district has been received by them ?

**Khawaja Ghulam Samad :** Is the Minister aware that the Dogars of Rohtak and Ambala districts are not included in the category of agricultural tribes while those of other districts are ? If so, the reasons therefor and the action to be taken by the Government ?

**Minister :** Does not arise.

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**REPRESENTATION BY THE INHABITANTS OF SOCHAN MANDI,  
DISTRICT HISSAR.**

**\*1193. Pandit Shri Ram Sharma :** Will the Honourable Premier be pleased to state--

- (a) whether it is a fact that the inhabitants of Sochan Mandi, district Hissar, recently sent a representation to the district authorities against the action of police of Sadar Sirsa Police Station in respect of a dacoity at the said place ;
- (b) whether it was stated in the representation that the police reached the place of occurrence very late and when the dacoity was being committed the police had reached the canal bank but they hesitated and did neither follow nor arrest the dacoits ;
- (c) whether the Government instituted an inquiry into this matter ; if so, the result thereof ?

**Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) :**

(a) Yes.

(b) Yes.

(c) The Deputy Commissioner made certain inquiries from which he was satisfied that the complaints against the police were without foundation.

**Pandit Shri Ram Sharma :** Is it a fact that the Deputy Commissioner had himself held an enquiry at Sochan Mandi ?

**Parliamentary Secretary :** I cannot say off hand whether he made an enquiry actually on the spot but he went thoroughly into the matter and found that the police did reach the spot as early as was possible and actually pursued the dacoits without success.

**Pandit Shri Ram Sharma :** Were the complainants personally examined by him ?

**Parliamentary Secretary :** As I have already stated the Deputy Commissioner did make an enquiry. That ought to have satisfied the honourable member.

**Pandit Shri Ram Sharma :** Will the Honourable Member be pleased to read the report on the floor of this House or place it on the table ?

**Parliamentary Secretary :** The report is long and besides, it is confidential.

**Pandit Shri Ram Sharma :** Where was the inquiry held ? Was it held on the spot ?

**Parliamentary Secretary.** If the honourable member had asked that information in his question, I would have been glad to supply it.

**Pandit Shri Ram Sharma :** Who made the inquiry ? Was it the Deputy Commissioner himself who conducted it ? What statements were made by the complainants and what is the proof that they were made ?

**Parliamentary Secretary :** Presumably the inquiry was made by the Deputy Commissioner himself, but I cannot say so definitely. If the honourable member were to give notice I would certainly send for that information.

**Pandit Shri Ram Sharma :** Will the Honourable Member on his own initiative conduct further inquiries into the way in which this affair was settled ?

**Mr. Speaker :** That is a request for action.

**Dr. Gopi Chand Bhargava :** Is it or is it not mentioned in the report submitted by the Deputy Commissioner that he went to that station and made inquiries and met such and such people ?

**Parliamentary Secretary** It is not clear from the report whether the Deputy Commissioner himself visited the spot, but I presume that he must have satisfied himself before reporting the matter to Government.

**Lala Deshbandhu Gupta :** Is it a fact that such questions are referred to subordinate officials and their report is submitted by the Deputy Commissioner as a matter of course ?

**Mr. Speaker :** That question does not arise from the answer.

**Dr. Gopi Chand Bhargava :** May I ask whether it is mentioned in the report or not that the Deputy Commissioner met such and such people and made such and such inquiries ?

**Mr. Speaker :** The next question.

PAYMENT OF BRIBE TO WASAL BAQI NAWIS, ETC., WHEN PAYING  
LAND REVENUE.

**\*1194. Pandit Shri Ram Sharma :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether the Government is aware of the fact that in the districts of southern Punjab the lambardars have to offer some bribes to the Wasil Baqi Nawis and the treasurer when they go to pay land revenue and abiana into the treasury ;
- (b) if so, the steps that the Government proposes to take to put an end to this practice ;
- (c) whether it is also a fact that a complaint to this effect was recently made to the Deputy Commissioner, Hissar, by the Gram Seva Mandal ; if so, the action taken thereon ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) No.

(b) Does not arise.

(c) A resolution passed by the Gram Seva Mandal, Hissar, at a conference held at Bhattu Kalan on 25th March, 1937, was received by the Deputy Commissioner, Hissar. As it contained no definite allegation against any particular person, no action was taken.

**Lala Deshbandhu Gupta :** Is it a fact that payments from the sufedposhes are not generally accepted till something extra is paid ?

**Minister :** If my friend brings any definite facts to my notice, I shall inquire. He cannot expect me to make inquiries on this indefinite point.

**Pandit Shri Ram Sharma :** What measures have Government taken to find out the grievances of the people ?

**Minister :** When five persons make a complaint, the matter is inquired into.

**Lala Deshbandhu Gupta :** Will the Government consider the advisability of appointing a Corruption Officer as has been done in other provinces ?

**Mr. Speaker :** That question does not arise from the answer.

FORCED LABOUR FROM CHAWKIDARS IN SOUTHERN DISTRICTS.

**\*1195. Pandit Shri Ram Sharma :** Will the Honourable Premier be pleased to state—

- (a) whether the Government is aware that in the districts of Southern Punjab the village chawkidars are detained at the Police Stations for free labour when they go there to report cases of births and deaths in their respective ilaqas ;
- (b) whether it is a fact that the village chawkidars in Sonapat by turn keep watch at the bungalow of the Sub-Divisional Officer, Sonapat, at night ;
- (c) if the answer to the above be in the affirmative, the rules, under which these chawkidars are required to do such things ;

[Pandit Shri Ram Sharma.]

- (d) if the answer to the above be in the negative, whether Government intends to appoint an honest C. I. D. officer to make inquiries into this matter to sift the truth ;
- (e) whether it is also a fact that the Gram Seva Mandal, Hissar, recently sent a complaint about this matter to the Deputy Commissioner of that place : if so, the action taken thereon ?

**Parliamentary Secretary** (Sardar Sahib Sardar Ujjal Singh) : (a) Inquiries show that this is not correct.

(b) Government understand that there was an old arrangement of the kind described, now discontinued.

(c) Does not arise.

(d) No.

(e) Yes. Copies were forwarded by the Deputy Commissioner to the Superintendent of Police and to the several Tahsildars for disposal.

#### PROCLAMATION BY BEAT OF DRUM IN VILLAGE BHUNGARNI.

**\*1196. Sardar Hari Singh** : Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that it was proclaimed by beat of drum at village Bhungarni, thana and district Hoshiarpur, in the second week of November that people should not move out of their houses between 12 P.M. and 4 A.M. at night and that four or more persons should not gather at a time at a public place in that village after 10 P. M. ;
- (b) if the answer to part (a) be in the affirmative, the authority under which this proclamation has been made and reasons for enforcing it, and also the number of other villages in the said district in which similar proclamation was made ?

**Parliamentary Secretary** (Sardar Sahib Sardar Ujjal Singh) : I regret that the answer to the question is not ready.

#### WATER RATES ON AGRA JUMNA CANAL.

**\*1197. Pandit Shri Ram Sharma** : Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the Agra Jumna Canal irrigates a portion of the Gurgaon district in the Punjab ;
- (b) whether it is a fact that canal irrigation in the Gurgaon district is not under the control of the Punjab Government, Agra Canal being a United Provinces' concern ;
- (c) whether it is a fact that the "abiana" is collected by the Punjab Government from the Gurgaon irrigators and that the question of remissions owing to failure of crops, etc., is solely controlled by the United Provinces Government ;
- (d) whether it is not a fact that water rates were increased on the area irrigated by Agra Canal in the Gurgaon district and not on the area irrigated by the Agra Canal in the United Provinces in 1930 ;

(e) whether it is a fact that water rates on all the Punjab Government canals have recently been reduced and that the Gurgaon district has not been favoured with this concession ;

(f) whether it is a fact that this matter has been repeatedly brought to the notice of the Punjab Government since 1931, with the request to reduce the abnormally high water rates on the Agra Canal in the Gurgaon district, and to remove this dual system of control ; if so, the action taken or proposed to be taken by the Punjab Government in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) to (c) Yes.

(d) Yes. Water rates were increased in the Gurgaon District but not in the districts of United Provinces on the Agra Canal.

(e) Yes.

(f) Representations have been received by the Punjab Government on the subject but as the administrative control of the Agra Canal belongs to the United Provinces Government and is not the concern of the Punjab Government, we can only represent matters to that Government. This has been done but the proposals have not been accepted.

**Pandit Shri Ram Sharma :** Does Government propose to make further inquiries into the matter ?

**Minister :** A representation is again going to be submitted to the United Provinces Government. We shall see what they do in the matter.

**\*1198.** (See *Debates of 24th January, 1938.*)

#### AID TO PRIMARY SCHOOLS AND ELEMENTARY SCHOOLS.

**\*1199. Pandit Shri Ram Sharma :** Will the Honourable Minister for Education be pleased to state whether it is a fact that the Government have of late adopted the system of giving aid to primary schools only and not to elementary schools in the province ; if so, the number of elementary schools in the districts of Hissar, Gurgaon and Rohtak which have been closed as a result of this system and also the number of students and teachers in each such elementary school ?

**The Honourable Mian Abdul Haye :** No, the elementary schools in the Ambala division are treated as primary schools for the purposes of grant-in-aid. The second part does not arise.

**Pandit Shri Ram Sharma :** Is there any difference made in the system of teaching Urdu, Hindi and Punjabi ?

**Minister :** I am afraid this question does not arise.

**\*1200.** (See *Debates of 24th January, 1938.*)

#### WIDOW OF DR. RAM GOPAL, VETERINARY ASSISTANT, NARNAUD.

**\*1201. Pandit Shri Ram Sharma :** Will the Honourable Minister for Development be pleased to state—

(a) whether it is a fact that the widow of Dr. Ram Gopal, Veterinary Assistant, Narnaud (Hissar), who was murdered on 7th August,

[Pandit Shri Ram Sharma.]

1936, had some time ago applied for pension ; if so, the action taken on the application ;

- (b) the reasons and the circumstances that led to the murder ;
- (c) whether in view of the exceptional circumstances of the case the Government is prepared to grant a pension to the widow ;
- (d) whether the Government will place the application of the widow on the table ?

**The Honourable Chaudhri Sir Chhotu Ram :** (a) Yes, an application by the widow of Pandit Ramgopal, Veterinary Assistant for a special pension supported by the Deputy Superintendent, Civil Veterinary Department, Hissar, was made to the Director of Veterinary Services. But even before the application was brought to the notice of Government the Punjab Government had, on receipt of a resolution passed by the Executive Committee of the Gaur Brahman High School at Rohtak, suggested to the Head of the Department that a proposal for a special pension might be submitted with a hint that "Government would be disposed to consider any such proposal sympathetically." As certain enquiries with regard to the pecuniary circumstances of the claimant had to be made from the Deputy Commissioner of Rohtak a formal proposal was made by the Director only towards the end of January, 1937. A reference was then made to the Accountant-General for a technical examination of the proposal. The Accountant-General desired information regarding the history of the case. To comply with his desire an application was made to the High Court for a copy of its judgment in the case. This copy when obtained was forwarded to the Accountant-General on December, 12, 1937.

(b) Copies of courts' judgments are available in the usual manner.

(c) As indicated in my answer to (a) Government are prepared to take a sympathetic view if any technical difficulties do not stand in the way.

I might add that since this answer was prepared, final orders granting to the widow a pension of Rs. 75 per month have been passed by Government.

(d) Government do not consider it necessary to comply with the suggestion.

#### ILAQA NAILI IN KARNAL DISTRICT.

**\*1202. Sufi Abdul Hamid Khan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether he is aware of the fact that Naili in the Karnal district was a most fertile part of the Kaithal tahsil before the inundation canals were constructed there ;
- (b) whether it is a fact that the water which used to irrigate this part of the *ilaqa* is now drained off by the inundation canals ;

- (c) whether it is also a fact that as a result thereof the lands have become barren and that the population of this *ilaga* has also decreased, if so, the steps that the Government intends to take now to relieve the distress of the *ilaga* ;
- (d) whether it is a fact that the people of that *ilaga* have recently represented their grievances and suggested ways for the irrigation of their lands ; if so, the action that the Government has taken so far, and if no action has been taken, the reasons therefor ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes. Relative deterioration of this tract is not due to inundation canals but to the standard of prosperity in other parts of the tahsil having risen by the introduction of canal irrigation.

(b) No. The inundation canals serve a large part of the Naili tract also.

(c) Cultivated and *sailab* areas have fallen by 11 and 40 per cent., respectively, since settlement but the canal irrigated area has risen by 29 per cent. Population has decreased from 41,573 at the census of 1921 to 36,266 at the census of 1931, i.e., by 13 per cent. This decline is stated to be due to the emigration of the menial classes to industrial centres providing more regular employment. The matter is receiving the careful attention of Government.

(d) Yes. Supply in the river is not sufficient for the existing canals taking off from it and further withdrawals by constructing the regulator, under the circumstances, cannot be contemplated.

#### LOSS DUE TO CONSTRUCTION OF A BUND IN RIVER MARKANDA.

**\*1203. Sufi Abdul Hamid Khan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that the bund constructed by Public Works Department in river Markanda to drain it is yearly cut down by the said department owing to their inability to control the flood in the Murtazapur Jheel ; if so, the loss that is thus caused to the Government every year ;
- (b) the person or persons who are responsible for this loss to Government and the steps, if any, that the Government intends to take to avoid this loss in future ;
- (c) whether it is also a fact that the lands which are covered by the said bund have become uncultivable due to the deposit of sand brought by the excessive flow of water on account of the removal of bund every year, if so, the area of such lands and the relief that the Government intends granting to these people ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes, the bund referred to closes a Branch of the Markanda river and is cut to escape water down that Branch whenever excess supplies are received in the Bibipur Lake. There is no loss to Government.

(b) Does not arise.

(c) No lands except those that have come under the Escape channel have been thrown out of cultivation. Those lands were made over to the Government by the owners free of cost in a signed agreement and in accordance with that agreement no compensation is claimable by the zamindars for damage done by flood water.

**Sufi Abdul Hamid Khan :** Is it a fact that the bund is cut down every year and constructed afterwards ?

**Minister :** In the ordinary course if the water is excessive and the bund is not broken, dammed up water might damage the other parts of the country. Therefore it is considered necessary to make a breach in the bund.

**Sufi Abdul Hamid Khan :** But it is broken every year.

**Minister :** It has to be broken when the water is excessive. I may inform my friend that the repairs do not cost very much.

REALIZATION OF *SAILABA* FROM VILLAGES GHANGERI, ETC., IN  
TAHSIL THANESAR.

**\*1204. Sufi Abdul Hamid Khan :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether it is a fact that the villages namely, Ghangeri, Malakpur, Talheri, Chhajupur, Urnai, Kanthla and Lotni in tahsil Thanesar were assessed as *Sailaba* in the last settlement because they were irrigated by river Markanda ;

(b) whether it is also a fact that these villages are no longer irrigated by the Markanda river due to the change made in its course by the Public Works Department ;

(c) whether it is a fact that *sailaba* is still realized from these villages ; if so, why, and also the amount of *sailaba* realized so far after the diversion of the course of the said river ;

(d) the action Government intends to take in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes. All the villages named except Ghangeri had some *sailab* area at settlement which was assessed at *sailab* rates.

(b) As will be seen from the attached statement, three of these villages have gained and four have lost in *sailab* area since settlement.

(c) The assessment of the villages has not been revised in consequence of the changes in the *sailab* area. No separate amount is realized for *sailaba*.

(d) The matter is under consideration.

*Statement showing cultivated sailab area in certain villages of the  
Thanesar Tahsil.*

Serial No.	Name of village.	CULTIVATED SAILAB AREA IN (RABI AND KHARIF).			Gain or loss since Settlement.
		Settlement (1909-10).	1928-29.	1936-37.	
		Aores.	Aores.	Aores.	Aores.
1	Gungheri .. ..	..	943	141	+141
2	Malakpur .. ..	1,455	196	..	-1,455
3	Talheri .. ..	237	1,062	..	-237
4	Chhajupur .. ..	56	593	76	+20
5	Urnai .. ..	67	696	590	+519
6	Kanthla .. ..	425	957	157	-268
7	Lotani .. ..	542	786	345	-197

CONCILIATION BOARD, PANIPAT.

**\*1205. Sufi Abdul Hamid Khan :** Will the Honourable Minister of Development be pleased to state—

- whether it is a fact that a Conciliation Board is working in Panipat tahsil for the last three years ;
- whether it is a fact that the jurisdiction of that Board has been extended to Karnal and Thanesar tahsils ;
- whether it is also a fact that one of its members is a Pathan, the other is a Ror, and the third is a Bania ;
- whether he is aware of the fact that the majority communities of the district are Jats amongst Hindus and Muslim Rajputs amongst Muhammadans and that there is great dissatisfaction amongst these communities for their exclusion from the Board ; if so, the action that he proposes to take to remove this dissatisfaction prevailing among the majority communities ?

**The Honourable Chaudhri Sir Chhotu Ram :** (a) The Conciliation Board at Panipat has been working since October, 1935.

(b) and (c) Yes.

(d) Government are aware that Hindu Jats and Muslim Rajputs are numerically the largest tribes in Karnal. But they are not aware of the existence of any dissatisfaction on the ground suggested in the question. If, however, any such dissatisfaction exists, Government would deprecate it and would expect the honourable member to do the same for the simple reason that any formal recognition on the part of Government of the claim of each individual tribe for a share in Government employment would lead to endless confusion and would promote fissiparous tendencies in the zamindar class as a whole.

**Lala Duni Chand :** Is the share of Jats recognised—that they should have a particular share ?

**Minister :** I require notice of that question.

**Lala Duni Chand :** Is it a fact that the Honourable Minister has been claiming a particular share in services for the Jats ?

**Minister :** No, Sir.

**Lala Duni Chand :** Is it not a fact that he has been recommending many Jats for different appointments ?

**Minister :** No, Sir.

**Lala Deshbandhu Gupta :** How many cases were tried by this Conciliation Board and what was the total amount involved ?

**Minister :** That is not a supplementary question.

#### MILITARY PENSIONERS.

**\*1206. Sardar Lal Singh :** Will the Honourable Premier be pleased to state whether it is a fact that the military pensioners, whose pensions were stopped during the last Akali movement, are even now regarded by the Police and other executive officers as having a bad record and are subject to disabilities, attaching to persons having bad record ; if so, why ?

**Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana :** The wording of the question is indefinite, but if the suggestion is that all ex-soldiers whose pensions were stopped are treated as bad characters under police surveillance, the answer is certainly in the negative.

**Sardar Kapoor Singh :** Will the Honourable Member please see that Bhai Randhir Singh is compensated for the forfeiture of property ?

**Parliamentary Secretary :** The case has not yet been considered.

**Sardar Kapoor Singh :** Would the Government sympathetically consider it if he applies ?

**Parliamentary Secretary :** It will be considered in due course and on its merits.

#### RETURN OF PROPERTY OF BHAI SAHIB BHAI RANDHIR SINGH.

**\*1207. Sardar Lal Singh :** Will the Honourable Premier be pleased to state whether the Government has still any grounds to believe that Bhai Sahib Bhai Randhir Singh has been carrying on subversive activities against the Government since his return from jail after serving a long term of imprisonment ; if not, whether it has considered the question of returning to him his landed property which it had confiscated as a result of political offences committed by him ; if so, with what result ?

**Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) :** First part No.

Second Part. Yes.

Third part. Not so far returned.

AGENCY TO DETECT CASES OF CORRUPTION AGAINST POLICE.

**\*1208. Sardar Lal Singh :** Will the Honourable Premier be pleased to state—

- (a) the agency through which the truth as to complaints of corruption against the police is sought to be arrived at ;
- (b) whether the Government has any agency independent of the police themselves to detect such cases of corruption ?

**Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) :** (a) The honourable member is invited to refer to the Press *communiqué* issued by the Punjab Government on the 18th May, 1937, drawing attention to rule 9-A of Punjab Government Consolidated Circular 6.—Administrative—Miscellaneous. This rule applies to all Government departments, including the Police.

(b) The honourable member is invited to see rule 16·27 and rules 16·38 to 16·41 in the Punjab Police Rules (Volume II) a copy of which will be found in the Assembly library.

**Lala Deshbandhu Gupta :** In view of the fact that the working of these rules has not been satisfactory, do Government propose to take any further action by appointing an independent officer or any other agency to see that this corruption does not go too far ?

**Parliamentary Secretary :** Government does not agree with the views of the honourable member.

**Lala Deshbandhu Gupta :** Are Government satisfied that there is no corruption ?

**Parliamentary Secretary :** It is not that Government is satisfied. But the rules do provide for a machinery to investigate cases of corruption.

**Lala Deshbandhu Gupta :** And that machinery has not been working satisfactorily.

**Sardar Kapoor Singh :** How does the Government view if some enquiry is made through a private agency ?

**Mr. Speaker :** The next question.

**\*1209.** (See *Debates of 24th January, 1938*).

CONTRIBUTION FOR RADIO STATION AT DELHI.

**\*1210. Sardar Lal Singh :** Will the Honourable Minister for Development be pleased to state the amount of the annual contribution, if any, by the Punjab Government towards the All-India Radio and the purpose for which this contribution is made ?

**The Honourable Chaudhri Sir Chhotu Ram :** The Punjab Government make no such contribution.

COMPLAINTS OF CORRUPTION AGAINST POLICE.

**\*1211. Sardar Lal Singh :** Will the Honourable Premier be pleased to state—

- (a) the total number of complaints of corruption received against the police within the first six months of the coming into power of the present ministry ;

[S. Lal Singh.]

- (b) the number of complaints among them that were judicially and departmentally inquired into respectively ;
- (c) the number of complaints that were judicially tried and found to have been substantiated ;
- (d) the number of complaints that were dealt with and that resulted in the award of condign punishment to those found guilty ;
- (e) the number of persons who complained against the police and who were proceeded against ?

**Parliamentary Secretary** (Sardar Sahib Sardar Ujjal Singh):

(a) Attempts have been made to collect this information, but owing to the difficulty of defining what constitutes a " complaint of corruption " it has been found impossible to obtain complete figures without an expenditure of time and labour out of proportion to the result.

(b) Thirty-two complaints investigated judicially ; eighty-two departmentally.

(c) Two.

(d) Seven.

(e) Proceedings were taken against seven persons for making false complaints against the Police.

**Lala Duni Chand :** Is it true that repeatedly complaints regarding bribery have been made in Ludhiana district and no action has been taken yet ?

**Parliamentary Secretary :** I require notice of that.

**Lala Duni Chand :** Is it true that five honourable members from that district have been representing that corruption is rampant in the Ludhiana district and yet no action has been taken ?

**Parliamentary Secretary :** I have already replied that if specific complaints are made enquiries will be made.

**Lala Duni Chand :** Is it not a fact that thousands of specific complaints have been made against specific officers ?

**Sardar Kapoor Singh :** Have some complaints been made or not ?

**Parliamentary Secretary :** If any complaints were made they must have been thoroughly investigated.

**Sardar Kapoor Singh :** What is the number of those complaints ?

**Parliamentary Secretary :** I cannot say off hand.

**Sardar Kapoor Singh :** Do not cases of bribery come under corruption ?

**Parliamentary Secretary :** I require notice for giving exact particulars of complaints in Ludhiana.

**Khawaja Ghulam Hussain :** In the event of a complaint, is it the department that holds an enquiry or some other person ?

**Parliamentary Secretary :** With regard to complaints in general regarding corruption I have already stated that rules provide departmental as well as judicial enquiry by magistrates.

**Lala Deshbandhu Gupta :** Do any complaints come to the notice of the Government through the agency of the Government itself, i.e., through the department itself, apart from the public ?

**Parliamentary Secretary :** If any complaints come to the notice of the department, they are dealt with by the department.

**Lala Deshbandhu Gupta :** I do not want a hypothetical answer. Were any complaints received by the Government through the department or through local officials ?

**Parliamentary Secretary :** I am not expected to answer hypothetical questions. The honourable member will give notice of a particular complaint and I will be only too glad to supply all the information.

**Lala Duni Chand :** Is it true that some time ago when the Honourable Premier paid a visit to Ludhiana several definite and concrete complaints of bribery were made to him ?

**Parliamentary Secretary :** I am not aware.

**Chaudhri Muhammad Husain :** Is it a fact that a resolution was passed in a public meeting against the District Magistrate and the Superintendent of Police for corruption ?

**Mr. Speaker :** The question is disallowed, as the conduct of judicial officers, even of subordinate judges, cannot be discussed on the floor of this House, except by a substantive motion. A district magistrate is a judicial officer.

**Lala Deshbandu Gupta :** Was the conduct of Superintendent of Police questioned in a public meeting ?

**Parliamentary Secretary :** If the honourable member will please state the date on which that meeting was held and specify the nature of complaint I will make enquiries.

**Lala Deshbandu Gupta :** 20th August.

**Mr. Speaker :** The next question.

#### ROADS IN THANA SHIANA IN LUDHIANA DISTRICT.

**\*1212. Sardar Lal Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the length of pucca roads in the area administered by the Punjab Government in thana Shaina in District Ludhiana ;
- (b) whether any attempt has so far been made to build any road in that ilaqa since its occupation by the British Government, if not, when does the Government intend to make a move in this direction ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) Nil.

(b) Yes. Attempts are being made by the District Board, Ludhiana, to establish communications between the *ilaqa* of Shiana and Ludhiana. As Shiana is cut off from the rest of Ludhiana district by Patiala territory, the problem of communications in this area presents peculiar difficulties.

**Sardar Kapoor Singh :** Will the Government please move the Patiala Durbar ?

**Minister :** It is a request for action.

SIKHS IN DEPUTY COMMISSIONER'S OFFICE, LUDHIANA.

**\*1213. Sardar Lal Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the number of Sikhs of the requisite qualifications who offered themselves for vacancies of clerks in the office of the Deputy Commissioner, Ludhiana, and the number of those who were taken and also of those who were rejected ;
- (b) how many non-Sikhs offered themselves for service and of these how many were taken ;
- (c) the number of temporary paid probationers who have been discharged by the present Deputy Commissioner on the ground of over-age and the number of those among them who are Sikhs ;
- (d) whether it is a fact that some of the candidates accepted for the vacancies belong to other districts ; if so, the reasons why these candidates were given preference when fully qualified men from the Ludhiana district were available for these posts ;
- (e) the number of the candidates accepted by the present Deputy Commissioner who are Jats (statutory agriculturists) and also the number of those who are non-agriculturists ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Since July, 1937, 26 Sikhs offered themselves for appointment in the office of the Deputy Commissioner, Ludhiana, of whom 4 were taken and 22 rejected. Accurate figures for the period prior to this date are not available.

(b) Forty, of whom 6 were taken and 34 rejected.

(c) None. The names of 26 unpaid candidates were, however, removed, of whom 7 were Sikhs.

(d) Yes, but they are only technically outsiders, as their relations have been serving in the district for many years. Moreover under the classification there is no bar against the appointment of outsiders in district offices.

(e) Fifteen as detailed below :—

Jats (Statutory agriculturists)	..	..	..	6
Other agriculturists	..	..	..	2
Non-agriculturists	..	..	..	7

**Sardar Kapoor Singh :** Is it not a fact that some of the outsiders living in Ludhiana who were appointed in the Deputy Commissioner's office were related to some officials in Ludhiana ?

**Mr. Speaker :** From which part of the answer does this supplementary question rise ?

**\*1214. Cancelled.**

**\*1215. (See Debates of 24th January, 1938).**

## TAX ON GOATS.

**\*1216. Chaudhri Kartar Singh :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that a tax on goats is levied in Kangra district ; if so, why ?

**The Honourable Dr. Sir Sundar Singh Majithia :** The attention of the honourable member is invited to the answer given to part (a) of question No. \*712<sup>1</sup> asked by Pandit Bhagat Ram Sharma during the last Assembly session.

## SCARCITY OF DRINKING WATER IN VILLAGE BHATOLI, DISTRICT KANGRA.

**\*1217. Chaudhri Kartar Singh :** Will the Honourable Minister of Education be pleased to state whether it is a fact that there is scarcity of drinking water during summer in the village Bhatoli Fakorian, tahsil Dera Gopipur, district Kangra, if so, the steps Government have taken or propose to take in the matter ?

**The Honourable Mian Abdul Haye :** Yes. Village Bhatol Phakorian is included in the list of villages where there is scarcity of drinking water in the Kangra district. But no scheme has so far been submitted by the District Board, Kangra, for consideration by Government. The attention of the District Board is being drawn to the matter.

## CONFISCATION OF NEWSPAPER KIRTI.

**\*1218. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether any issues of newspaper "Kirti" were confiscated recently ; if so, why and how many newspapers were confiscated and at what places ; and whether they have been since burnt ?

**Parliamentary Secretary** (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : Issues of the *Kirti*, Meerut, have recently been seized at several places in the province. It is not possible to give the exact number of copies seized or the names of places where the seizures were made without a prolonged and laborious enquiry. All forfeited copies have been destroyed. The *Kirti*, Meerut, is the same in substance as the *Kirti*, Amritsar, in respect of which security under Section 7(3) of the Indian Press (Emergency Powers) Act, 1931, was required by the Punjab Government, but was not furnished by the publisher. The new publication is therefore an unauthorised newspaper within the meaning of Section 2 (9) (b) of the Indian Press (Emergency Powers) Act, and liable to seizure under Section 16 of the said Act.

**Dr. Gopi Chand Bhargava :** May I know whether the *Kirti* is not published in the Punjab and if so, why does the Government think that it was the same paper for which security was demanded ?

**Parliamentary Secretary :** Because it is the same in substance.

**Dr. Gopi Chand Bhargava :** Do I understand that this paper was burnt simply because the Government thought that it was the same paper for which security was demanded ?

**Parliamentary Secretary :** The Government is still of the opinion that the *Kirti* is the same in substance as the *Kirti*, Amritsar, in respect of which security under section 7 (3) of the Indian Press (Emergency Powers) Act, 1931, was required by the Punjab Government, but was not furnished by the publisher.

**Dr. Gopi Chand Bhargava :** Did Government examine special articles in the paper?

**Dr. Gopi Chand Bhargava :** Is the Government prepared to name those articles which were objectionable?

**Parliamentary Secretary :** I would like to have notice for that.

MEDICAL OFFICERS IN CHARGE OF DISTRICT BOARD HOSPITALS,  
JULLUNDUR.

**\*1219. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Public Works be pleased to state—

(a) whether the medical officers in charge of district board hospitals in Jullundur district have been asked to pay half of their certificate fees to the district board and whether in consequence thereof they have raised their fees ;

(b) the action Government intends to take in the matter ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) No.

(b) Does not arise.

‘ JANGAL KI DASTAN ’.

**\*1220. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Revenue be pleased to state whether his attention has been invited to a booklet “ Jangal ki Dastan ” edited by an Assistant Conservator of Forests and whether he has seen the passages in the booklet “ Government Mai Bap hai ” ?

**The Honourable Dr. Sir Sundar Singh Majithia :** I am indebted to my honourable friend for drawing my attention to this useful pamphlet which I have perused with interest.

**Dr. Gopi Chand Bhargava :** May I know whether the Government approves of this language or this expression of opinion expressed by the author, and if so, what remuneration is given to that man ?

**Minister :** I have perused that pamphlet. It is a very useful pamphlet. If some passages or some language appears, which according to my honourable friend is not correct, it is his opinion.

**Dr. Gopi Chand Bhargava :** May I know whether the Government approves of the statement made in the pamphlet under the heading “ Government Mai Bap hai ”.

**Minister :** It is an ordinary expression used by people in the Punjab.

**Dr. Gopi Chand Bhargava :** May I know whether the Government approves of that statement ?

RETIREMENT OF DR. B. L. BHATIA.

**\*1221. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Education be pleased to state the reasons, if any, of retirement before due date of Dr. B. L. Bhatia, Principal, Pasrur College, from service ?

**The Honourable Mian Abdul Haye :** Dr. Bhatia retired from Government service at his own request as a protest against his transfer from Rohtak to Pasrur.

**Dr. Gopi Chand Bhargava :** Were any other reasons given by him ?

**Minister :** His supersession some years back.

**Dr. Gopi Chand Bhargava :** Does the Government think that his supersession was justified ?

**Minister :** My honourable friend is anticipating questions that are already on the paper. I would ask him to put those questions first and then I shall be delighted to answer supplementary questions.

RETIREMENT OF DR. B. L. BHATIA.

**\*1222. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Education be pleased to state the reasons, if any, why Dr. B. L. Bhatia of the Education Department was before retirement transferred after 2 months from Rohtak to Pasrur ?

**The Honourable Mian Abdul Haye :** He was transferred in the interests of the public service.

ZOOLOGY IN PASRUR COLLEGE.

**\*1223. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Education be pleased to state whether there are arrangements for teaching Zoology in Pasrur College ?

**The Honourable Mian Abdul Haye :** No.

RESEARCH BY DR. B. L. BHATIA IN ZOOLOGY.

**\*1224. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Education be pleased to state whether Dr. B. L. Bhatia of the Education Department has been teaching Zoology and carrying on research work in Zoology for the last 25 years ; if so, why he was asked to teach English in the Pasrur College before he was made to retire ?

**The Honourable Mian Abdul Haye :** Yes. He was not asked to teach English in the Pasrur College. He was transferred to this College in the capacity of Principal.

**Dr. Gopi Chand Bhargava :** Is it a fact that there is no arrangement for teaching Zoology in that special College ? Why was Dr. B. L. Bhatia asked to teach English ?

**Minister :** Because he has been teaching English in the past.

**Dr. Gopi Chand Bhargava :** Was he not carrying on research work in Zoology ?

**Minister :** Yes, but privately.

**Dr. Gopi Chand Bhargava :** May I enquire why the Government did not take advantage of his research work in Zoology ?

**Minister :** The Government was of opinion that the research work, which was carried on by Dr. B. L. Bhatia, would be of no use to students.

**Dr. Gopi Chand Bhargava :** Did he make any request for transfer to a College where Zoology was taught ?

**Minister :** He made requests to transfer him to certain colleges on the excuse that he would be able to teach Zoology, but it was not possible to send him back to Rohtak or to transfer him to the Lahore Government College but the Government offered to transfer him to another degree college where Zoology was taught, but that was not accepted by him.

**Diwan Bahadur Raja Narendra Nath :** Why was it not possible to repost him to Rohtak ?

**Minister :** He had worked at Rohtak on two previous occasions and the result was not satisfactory and the other gentleman, who was appointed Principal of the Rohtak College, was doing very well.

**Diwan Bahadur Raja Narendra Nath :** For how long did that officiating gentleman work in Rohtak and for how long did Dr. Bhatia work there ?

**Dr. Gopi Chand Bhargava :** Is it not admitted in the question that he worked for two months at Rohtak ?

**Minister :** Nowhere. He went on leave at Rohtak and gave us the impression that he was going on leave preparatory to retirement. But suddenly, some months back during vacations, he decided to cancel his leave and this caused a good deal of embarrassment to the Government.

**Lala Duni Chand :** Does the Honourable Minister subscribe to the view that an officer can work satisfactorily in one place and unsatisfactorily in another place ?

**Minister :** His work was not satisfactory in other places also.

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#### RETIREMENT OF DR. B. L. BHATIA.

**\*1225. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Education be pleased to state whether before his retirement Dr. B. L. Bhatia of the Education Department requested the department that he may be transferred to a college where he could teach Zoology : if so, with what result ?

**The Honourable Mian Abdul Haye :** On receipt of the orders transferring Dr. Bhatia to Pasrur he asked to be posted to Hoshiarpur as Principal or as a Lecturer in Zoology at Government College, Lahore. His request could not be acceded to, but he was told that if he wished he would be considered for a post in Biology in a degree college.

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#### P. E. S. CLASS (I) PROMOTION RULES.

**\*1226. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Education be pleased to lay on the table rules, if any, according to which

P. E. S. officers of class (II) working as professors in Government Colleges are promoted to class (i) ?

**The Honourable Mian Abdul Haye :** A copy of the relevant rules is placed on the table.

**Dr. Gopi Chand Bhargava :** Why was he not promoted from Class II to Class I ?

**Minister :** Because it is done on selection basis and the Government came to the conclusion that he does not deserve this in comparison with those who were promoted.

**Dr. Gopi Chand Bhargava :** Was he informed of the defects in him for which he could not be selected ?

**Minister :** In the matter of selection when a man is not selected, it is not the practice of the Government to inform him why he has not been selected ?

**Dr. Gopi Chand Bhargava :** Were any adverse remarks made in his service book ?

SUPERSESSION OF DR. B. L. BHATIA.

**\*1227. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Education be pleased to state—

- (a) whether Dr. B. L. Bhatia of the Education Department was superseded by many others ; if so, reasons for the same ;
- (b) whether Dr. B. L. Bhatia was seniormost in P. E. S. class (II) ;
- (c) whether he was informed of the reasons for which he was so superseded ; if not, why not ;
- (d) whether any adverse remarks were made in his confidential report, if so, whether he was informed of them ; if not, why not ?

**The Honourable Mian Abdul Haye :** (a) Yes. He was not considered as suitable for appointment to the P. E. S. (Class I) as the officers who superseded him. The honourable member may be interested to know that promotion from P. E. S., class II, to P. E. S., class I, is purely by selection.

(b) Yes, since 11th September, 1936.

(c) No. It is not the practice to inform officers why they have not been selected for promotion.

(d) It is not in the public interest to disclose this fact.

EXTERMENT ORDERS SERVED ON SARDAR BHAGWAN SINGH, LONGOWALIA.

**\*1228. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that an exterment order under the Panjab Criminal Law Amendment Act was some time ago served on

[S. Hari Singh.]

Sardar Bhagwan Singh Longowalia, Secretary, Punjab States Peoples' Conference at Amritsar ;

- (b) the grounds on which the Government thought it necessary to take this step ;
- (c) the period for which the order will be in force ;
- (d) whether this action was taken on the initiative of the Punjab Government ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) Yes.

(b) On the ground that Sardar Bhagwan Singh Longowalia had acted in a manner prejudicial to the public safety and peace.

(c) Twelve months.

(d) Yes.

#### REWARD FOR PEOPLE OF VILLAGE MASITAN.

**\*1229. Sayad Amjad Ali Shah :** Will the Honourable Premier be pleased to state whether any, if so, what reward the Government intends to give to the people of Masitan, district Ferozepore, for valiantly dispersing dacoits on the night of 20th September, 1937 ?

**The Honourable Major Sir Sikander Hyat-Khan :** Government agree that this case is one in which substantial rewards ought to be paid. They are at present awaiting the proposals of the local officers. In the meantime the relatives of each of the villagers killed in the encounter have been paid sums of Rs. 100 as a form of immediate relief, while those who were injured have received smaller amounts. These payments were made by the Superintendent of Police within a few hours of the occurrence.

#### KHARABA.

**\*1230. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that the Superintending Engineer of the Grey Canals, Ferozepore, considers that patwaris and kanungos dishonestly give more *kharaba* than what is due ; if so, the action the Government proposes to take to remove this evil ?

**The Honourable Dr. Sir Sundar Singh Majithia :** Yes, the Superintendent was of opinion that *kharaba* was not recorded correctly. Additional revenue staff has now been appointed to check the *girdawari* and see that *kharaba* is correctly recorded.

#### DISMISSAL OR SUSPENSION OF CLERKS BY MR. AMIN-UD-DIN, I.C.S.

**\*1231. Lieutenant Sodhi Harnam Singh :** Will the Honourable Premier be pleased to state—

- (a) the number of clerks dismissed or suspended or otherwise punished by Mr. Amin-ud-Din, I.C.S., while he was Deputy Commissioner of Jullundur, Jhang and Ferozepore ;

- (b) communitywise number of clerks so punished in each of the districts mentioned in (a) above ;
- (c) the number of appeals, if any, against his orders ; if so, their results ?

**The Honourable Dr. Sir Sundar Singh Majithia :—**

(a) 21.

(b)

			Muslims.	Hindus.	Sikhs.
(1) Jullundur	..	..	2	2	1
(2) Ferozepore	..	..	3	2	3
(3) Jhang	..	..	4	4	..

(c)

		No. of appeals.	Result.	
(1) Jullundur	..	3	Accepted	.. 1
			Rejected	.. 1
			Partially accepted	1
(2) Ferozepore	..	1	Not yet decided.	
(3) Jhang	..	9	Accepted	.. 2
			Rejected	.. 7

SECRETARY, MUNICIPAL COMMITTEE, BULLABGARH.

**\*1232. Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether the Government is aware of the fact that the Deputy Commissioner, Gurgaon, has written to the Municipal Committee, Bullabgarh, in his letter No. 1287 of 24th November, 1937, that in case the Committee persisted in removing Chander Sen, the temporary secretary, the Commissioner would reconsider the question of recommending its supersession ; if so, reasons for the same ;
- (b) whether it is also a fact that the said Committee had twice decided to dispense with the services of their temporary secretary ;
- (c) if the answers to (a) and (b) above be in the affirmative, the action, if any, the Government intends to take in the matter ?

**The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :** (a) The Deputy Commissioner wrote to the Municipal Committee, Bullabgarh, conveying remarks of the Commissioner to the effect that, if the present inefficiency remained and the Committee persisted in its decision to remove the Secretary, it would be necessary to consider whether the fault lay with the Secretary or the President and his party. If it was found that it lay with the latter, it would be necessary to consider whether the supersession of the Committee should be recommended. The reasons are contained in these remarks.

[Minister for Public Works.]

(b) Yes.

(c) The action to be taken by Government will depend upon the management of its affairs by the Committee in the future and on the recommendations of the Commissioner.

#### CANAL PATWARIS.

**\*1233. Pandit Shri Ram Sharma :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that matriculate canal patwaris who entered service after 7th November, 1936, are not entitled to any higher grade or post ; if so, reasons for the same and also whether it is in accordance with the circular letter No. 3600-S.-Est.-S., dated 7th September, 1936 ;

(b) whether such restrictions also exist in other Government departments ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) A patwari appointed on or after 1st July, 1936, holding a matriculation certificate is not eligible for appointment to the Munshi Establishment, for which the minimum qualification is now F. A. or F.Sc. with effect from the same date (1st July, 1936). This matter is not affected by Irrigation Branch letter No. 3600/01-S.-Est.-S., dated 7th September, 1936.

The educational standards have been raised with the object of getting better qualified men.

(b) The question of restrictions does not arise between the different departments of Government. When persons with higher qualifications are available it is only natural that they would have preference over those of lower qualifications.

#### LIFT IRRIGATION FOR EASTERN DISTRICTS.

**\*1234. Pandit Shri Ram Sharma :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that the Punjab Government deputed the Honourable Finance Minister to see the tube well system and irrigation through electricity in the United Provinces for the purpose of introducing this system in the Southern and Eastern districts of the Punjab ;

(b) if the answer to (a) above be in the affirmative, whether the Honourable Finance Minister has submitted any report so far ; if so, a copy of the same may be laid on the table of the House ?

(c) when it is expected to introduce the scheme in the Punjab ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) No. But the Honourable Finance Minister visited the U. P. Tube Well area for the easier understanding of projects which might be submitted to him for scrutiny and advice.

(b) Does not arise.

(c) An officer has been placed on special duty to investigate the whole problem and Government will consider his report when received.

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MEMORIAL SENT BY THE INHABITANTS OF CHICHAWATNI.

**\*1235. Sardar Ajit Singh :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether the inhabitants of Chichawatni, district Montgomery, sent a memorial, dated 21st June, 1937, to the Punjab Government, for the conversion of the Notified Area Committee into a Municipal Committee ;
- (b) whether another memorial with the same object was submitted to the Honourable Minister by a deputation that waited upon him on 8th July, 1937, at Simla ;
- (c) whether the Secretary, Inhabitants Committee, Chichawatni, has sent many reminders in the same connexion ; if so, the action, if any, taken so far ; if no action has been taken, reasons for the same ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) Yes.

(b) Yes.

(c) Yes. Local officers have been asked to report and their reply is being awaited.

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CHICHAWATNI NOTIFIED AREA COMMITTEE.

**\*1236. Sardar Ajit Singh :** Will the Honourable Minister of Public Works be pleased to state whether it is a fact that throughout the Punjab many towns with less income and smaller population than Chichawatni notified area, have got 2nd class municipal committees or small town committees ; if so, reasons why Chichawatni Notified Area Committee has not been replaced by a municipal committee ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** Yes. The question regarding the conversion of the Notified Area of Chichawatni into a municipality or a small town is under the consideration of Government.

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CHICHAWATNI NOTIFIED AREA.

**\*1237. Sardar Ajit Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that the notified area committee, Chichawatni, district Montgomery, failed to realize the Development grant of Rs. 2,36,000 before 1927 and that this grant has since been forfeited to the Government ;

[S. Ajit Singh,]

- (b) whether it is a fact that the said notified area committee lost the sum of Rs. 8,000 on account of hospital grant in the same way ; if so, the action the Government intends to take in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) and (b) No.

#### CHICHAWATNI NOTIFIED AREA.

**\*1238. Sardar Ajit Singh :** Will the Honourable Minister of Education be pleased to state—

- (a) whether it is a fact that the notified area committee, Chichawatni, applied in the current financial year for a grant of Rs. 60,000 for the drainage of the town ;  
(b) whether it is a fact that the Government have refused to give the same ; if so, reasons for the same ?

**The Honourable Mian Abdul Haye :** (a) Yes.

(b) No. The matter is under consideration.

#### CHICHAWATNI NOTIFIED AREA.

**\*1239. Sardar Ajit Singh :** Will the Honourable Minister of Public Works be pleased to state whether it is a fact that the auditor and the inspector of the Notified Area committee, Chichawatni, made some adverse remarks against the said notified area committee in their Inspection and Audit Report for the period 1st February, 1933 to 31st March, 1934 ; if so, the action the Government intends to take in the matter ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** Yes. Government took notice of the Audit and Inspection Note for the period 1st February, 1933, to 31st March, 1934, and requested the Commissioner, Multan division, to instruct the Notified Area committee, Chichawatni, to make a special effort to settle the objections pointed out in the audit note and in future to pay greater attention to the observance of the rules in the Municipal Account Code, 1930. The last Audit and Inspection note received for the period from 1st April, 1934, to 31st March, 1937, shows that the accounts of the notified area committee have been well maintained.

#### MEMORIAL BY THE OCCUPANCY TENANTS OF UNA.

**\*1240. Sardar Hari Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that the occupancy tenants of tahsil Una, district Hoshiarpur, submitted a memorial describing their grievances to the Punjab Government in the year 1921 ;  
(b) whether it is a fact that the Government deputed a special officer to inquire into the matter and submit a report to the Government ;

- (c) if the answer to (b) above be in the affirmative whether he is prepared to lay a copy of the said report on the table of the House and also state the action taken by the Government on the same ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) Yes.

(c) No, because no useful purpose would be served by publication so long after the submission of the report. As regards the action taken, an additional Revenue Assistant was appointed to assist in the disposal of the heavy revenue work in that tahsil and incidentally to help in improving the relations between landlords and tenants. Government has now directed a further enquiry in the matter and proposes to review the situation in the light of experience gained.

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PETITION BY OCCUPANCY TENANTS OF VILLAGE MANGEWAL, IN  
TAHSIL UNA.

**\*1241. Sardar Hari Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that some occupancy tenants of village Mangewal, tahsil Una, district Hoshiarpur, submitted a petition to Mr. M. L. Darling, Financial Commissioner, on the occasion of his visit to Anandpur on 25th November last ;
- (b) if answer to (a) above be in the affirmative the substance of the said petition ; and whether an inquiry has been held into their grievances ; if so, with what result ;
- (c) whether the Government is aware that similar conditions prevail in eighty-four villages of tahsil Una and whether it is prepared to take steps to remedy them ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) The petitioners complained against the landlords realising *bata* rent and prayed for its commutation into cash rent. No action could be taken, as under section 13 of the Punjab Tenancy Act one method of taking rent cannot be commuted into another without the consent of both landlord and tenant.

(c) Yes. The question is under consideration.

**\*1242.** (*See Debates of 24th January, 1938.*)

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CASES UNDER CRIMINAL LAW AMENDMENT ACT.

**\*1243. Sardar Hari Singh :** Will the Honourable Premier be pleased to state the number and particulars of cases dealt with under the Criminal Law Amendment Act in the Punjab so far since 1st April, 1937 ?

**The Honourable Major Sir Sikander Hyat-Khan :** Ten persons were committed to custody under section 2 of the Punjab Criminal Law Amendment Act ; 5 persons were restricted and 8 persons were externed from the province under section 3 of the Act ; and two persons were prosecuted under section 5 of the Act.

## SALE OF LIQUOR IN ALL-INDIA EXHIBITION.

**\*1244. Sardar Hari Singh :** Will the Honourable Minister of Revenue please state—

- (a) whether it is a fact that license for the sale of liquor on the grounds of the All-India Exhibition organised by the Punjab Government recently was granted by the authorities concerned ;
- (b) whether a number of prominent citizens wrote a letter of protest to the authorities regarding the granting of the said license ;
- (c) if so, what action Government proposes to take in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) No ; but an unsigned document to this effect containing the names of a number of prominent citizens was received.

(c) In view of (b) does not arise.

## REPRESENTATION AGAINST THE ADDITIONAL POLICE, VILLAGE SAHUNGRA.

**\*1245. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) whether the Government has received representations against the Additional Police at village Sahungra, tahsil Garhshankar, district Hoshiarpur, for extortion, bribery, and *begar* exacted by them ;
- (b) if the answer to (a) above be in the affirmative, whether an independent inquiry has been held into the matter, if so, result of the same, and the action taken on it ?

**The Honourable Major Sir Sikander Hyat-Khan :** I regret that the answer to this question is not ready.

## SCHEDULED CLASS REPRESENTATION IN PUNJAB CIVIL SERVICE.

**\*1246. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether it is a fact that not a single man from amongst the scheduled classes has so far been taken in the P. C. S. (both Executive and Judicial) ; if so, the action the Government propose to take in the matter ?

**The Honourable Major Sir Sikander Hyat-Khan :** This has already been answered in my reply to question \*1153<sup>1</sup>.

## SCHEDULED CLASS REPRESENTATION IN THE PUNJAB GOVERNMENT SECRETARIAT, ETC.

**\*1247. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state the number and grade of employees belonging to Scheduled Classes in the Punjab Civil Secretariat, and offices under the High Court and Police Departments ?

**The Honourable Major Sir Sikander Hyat-Khan :** A statement giving the required information is laid on the table :—

*Statement.*

- (1) Punjab Civil Secretariat .. Nil.
- (2) High Court .. .. Three in the grade of Rs. 45—3—90—3—105 which has been revised to Rs. 40—2½—75—2—85. One of them is also an accepted candidate for translatorship in the grade of Rs. 75—7—145 (revised grade Rs. 60—6—120).
- One madad naib nazir on Rs. 25 per mensem.
- Eight process-servers on Rs. 17 per mensem each.
- One orderly on Rs. 14 per mensem.
- (3) Police Department .. .. One head constable.
- Twenty-one foot constables.

RETURN OF FINES REALISED FROM POLITICAL PRISONERS.

**\*1248. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether the Government intends to return the fines realized from political prisoners during the Civil Disobedience Movements of 1930 and 1932 ; if not, reasons for the same ?

**The Honourable Major Sir Sikander Hyat-Khan :** No, Sir.

RETURN OF CONFISCATED SECURITIES OF NEWSPAPERS, ETC.

**\*1249. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether the Government intends to return the securities furnished by the newspapers and presses confiscated so far by the Government on account of the publication of objectionable political news or articles ?

**The Honourable Major Sir Sikander Hyat-Khan :** The attention of the honourable member is invited to the answer given to question No. \*978<sup>1</sup>.

ARREARS OF PUNITIVE POLICE TAX FROM VILLAGE SUR SINGH.

**\*1250. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether it is a fact that orders have been issued by the District Magistrate, Lahore, for the recovery of Rs. 136-6-5 from the residents of village Sur Singh, tahsil Kasur, district Lahore, as arrears of Punitive Police Tax, in spite of the answer given by the Government in reply to question No. \*361<sup>2</sup> ;

(b) If so, reasons for the same ?

<sup>1</sup>Page 314 ante.

<sup>2</sup>Vol. 1, pages 1271—74.

**The Honourable Major Sir Sikander Hyat-Khan :** (a) and (b) By a misunderstanding the District Magistrate issued orders in July or August last for the recovery of a sum of Rs. 135-6-5. The orders were withdrawn by him in September.

**\*1251.** (*See Debates of 24th January, 1938.*)

#### REVISED TAX SCHEDULE FOR AMBALA CANTONMENT.

**\*1252. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Public Works be pleased to state—

(a) whether the Government has received proposals for Revised Terminal Tax Schedules for Ambala Cantonment ; if so, the date of their receipt ;

(b) whether the said revised schedule has been sanctioned ; if so, when, if not, why not and when it is expected to be sanctioned ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) The revised schedule was received in its final form in May last.

(b) Correspondence is at present proceeding between the Punjab Government and the Government of India regarding the position created by the new Government of India Act in respect of the imposition of terminal taxes in municipal areas and cantonment areas, and it has been found necessary in the meantime to postpone action on the Ambala Cantonment case. I am afraid that it is not possible to say when orders are likely to be passed, as the general issues involved are by no means simple.

#### JAGIR OF A. E. S. BALWANT SINGH.

**\*1253. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Revenue be pleased to state whether the *jagir* of A. E. S. Balwant Singh, son of Sardar Bishan Singh, resident of Millak Sukhi, tahsil Jagadhri, district Ambala, has recently been confiscated by the Government, if so, why ?

**The Honourable Dr. Sir Sundar Singh Majithia :** The *jagir* of Balwant Singh amounting to Rs. 114 a year was in February, 1937, ordered to be resumed with effect from *kharif*, 1934, owing to his persistent bad behaviour and subversive actions since 1932 after a full enquiry by the Revenue Assistant, Ambala.

#### GRAZING GROUNDS.

**\*1254. Lala Duni Chand :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that in many villages in the Punjab no commons or grazing grounds are reserved for the benefit of cattle ;

(b) if so, the steps the Government proposes to take in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** The attention of the honourable member is invited to the answer given to question No. \*498<sup>1</sup> during the last Assembly session.

#### SCHOOLS FOR DEAF AND DUMB.

**\*1255. Lala Duni Chand :** Will the Honourable Minister for Education be pleased to state the number of schools for educating the dumb and deaf in the Punjab and whether the Government has any scheme in hand to open more schools for the benefit of the deaf and the dumb ?

**The Honourable Mian Abdul Haye :** No school for the deaf and dumb exists in the Punjab, but Government has recently sanctioned a grant of Rs. 450 to the Lady Noyce Deaf and Dumb School, New Delhi, as seven Punjabi students attend this institution. Government is aware of the somewhat meagre facilities available for the education of defective children—although the demand is at present small—and is prepared to consider sympathetically the provision of further facilities as opportunity offers and when trained teachers are available.

#### STUDENTS BELONGING TO SCHEDULED CASTES.

**\*1256. Lala Duni Chand :** Will the Honourable Minister for Education be pleased to state the number of students belonging to the scheduled castes in arts colleges, vocational colleges and the industrial institutions ; and whether the Government intends to take any steps to increase their number in these institutions ; if so, what ?

**The Honourable Mian Abdul Haye :** The number of students belonging to the depressed classes in arts colleges, vocational colleges and industrial institutions in the Punjab on 31st March, 1937, was as under :—

		Males.	Females.	Total.
Arts colleges	.. ..	23	..	23
Vocational colleges	.. ..	1	..	1
Industrial institutions.	.. ..	77	39	116

Government always views with favour any increase in the number of depressed class students studying in colleges, but no particular proposal for securing such increase is under consideration at present.

#### WELLS FOR SCHEDULED CASTES.

**\*1257. Lala Duni Chand :** Will the Honourable Minister for Education be pleased to state district-wise the number of wells sunk during the present financial year under the auspices of the Punjab Sanitary Board wholly or partly for the benefit of the members of scheduled castes ?

**The Honourable Mian Abdul Haye :** No well has been sunk during the current financial year by the Sanitary Board, Punjab, specifically for the benefit of the members of the scheduled castes either wholly or in part, but these castes along with others use any water supply financed by the Sanitary Board.

## PRIMARY AND SECONDARY EDUCATION FOR SCHEDULED CASTES.

**\*1258. Lala Duni Chand :** Will the Honourable Minister for Education be pleased to state—

- (a) whether there has been any increase in the number of students belonging to scheduled castes in the primary and secondary schools in the Punjab during the last three years ;
- (b) whether there is any scheme in hand to extend the benefit of primary and secondary education to the children of scheduled castes ?

**The Honourable Mian Abdul Haye :** (a) Yes.

(b) The children of depressed classes are already treated most generously in the matter of fee concession.

## CONCESSIONS IN FEE FOR STUDENTS BELONGING TO SCHEDULED CASTES.

**\*1259. Lala Duni Chand :** Will the Honourable Minister for Education be pleased to state the number of students belonging to scheduled castes who are at present enjoying full fee concession in Government and District Board high schools, and whether the Government intends to grant more facilities so far as concessions in fee are concerned to students belonging to scheduled castes in Government and District Board high schools ?

**The Honourable Mian Abdul Haye :** It is not in the public interest to collect this information. The students belonging to the scheduled castes (depressed classes) are already treated most generously in the matter of fee concessions. They are exempt from the payment of fees in primary classes, and are admitted at half the usual rates in the secondary classes of vernacular and anglo-vernacular institutions throughout the province. They are also eligible for full fee concessions on account of poverty allowed under Article 120 of the Punjab Education Code. I regret that it is not possible to give them more fee concessions without prejudice to other educational activities.

## PROSECUTING INSPECTORS AND SUB-INSPECTORS.

**\*1260. Lala Duni Chand :** Will the Honourable Premier be pleased to state—

- (a) the percentage of qualified lawyers among the prosecuting inspectors and sub-inspectors of the Punjab ;
- (b) whether the Government intends to increase the number of prosecuting inspectors and sub-inspectors with legal qualifications ; if so, to what extent ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) The figures have already been given in the reply to question \*861<sup>1</sup>, put by the honourable member for the Rawalpindi Sadar (Muhammadan) Rural Constituency.

(b) Yes. Vacancies in the rank of prosecuting inspectors are filled by the promotion of prosecuting sub-inspectors, and recruitment to the latter rank is now confined to candidates holding B. A. and LL.B. degrees. Thus eventually all prosecuting inspectors and sub-inspectors will be qualified lawyers.

#### ELECTRIC POWER FOR LIFT IRRIGATION.

**\*1261. Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state whether the Government has any scheme in hand to supply cheap electric power for lift irrigation ; if so, the details of the same ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** The attention of the honourable member is invited to the reply given to part (b) of Assembly question No. \*208<sup>1</sup>. No further details are yet available.

#### UNSTARRED QUESTIONS AND ANSWERS.

##### TAN RIDER ALONG THE CANAL BANK IN LAHORE.

**255. Mian Muhammad Iftikhar-ud-Din :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the Canal Department is spending more than Rs. 2,000 a year on the up-keep of the tan ride along the canal bank in Lahore between the Jail Road Bridge and Mughalpura Railway Line Bridge ;
- (b) whether any public body has asked for the maintenance of this tan ride ; if so, whether the Government is prepared to lay the copies of any representations made by them regarding it on the table of the House ; if not, reasons for spending money on its maintenance ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) No.

The tan ride is maintained by Government for the benefit of the citizens of Lahore.

##### POLICE BAND IN LAHORE.

**256. Mian Muhammad Iftikhar-ud-Din :** Will the Honourable Premier be pleased to state—

- (a) whether the Government is prepared to lay on the table of the House a statement showing the strength of the Police Band in Lahore and its annual expenses and the duties it performs ;
- (b) whether it is a fact that its services are often lent to the local European Clubs, if so, reasons for the same ?

**The Honourable Major Sir Sikander Hyat-Khan :** This has been answered in my reply to the honourable member's question No. 254<sup>2</sup>.

<sup>1</sup>Volume I, page 786.

<sup>2</sup>Pages 619-20 ante.

## POND OF STAGNANT WATER IN HARIA, DISTRICT GUJRAT.

**257. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether he is aware of the fact that as a result of 'sem' caused by the Lower Jhelum Canal there has been in existence for the last 25 years a huge pond of foul and stagnant water right in the middle of the town of Haria in Gujrat district ;
- (b) whether he is aware of the fact that this stagnant water besides ruining the health of the inhabitants is doing incalculable damage to the houses situated around it ;
- (c) whether he is aware of the fact also that as a result of numerous applications made to the authorities a 'nullah' was dug out, which ultimately proved to be incapable of draining out that water ;
- (d) if the answer to (a), (b) and (c) above be in the affirmative, the steps, if any, that Government propose to take in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) A pond exists in the village ; this was formed by the inhabitants of the village when obtaining earth for their houses. The pond is filled mainly by rain water and the Lower Jhelum Canal cannot be justly and solely blamed.

(b) The pond is not causing damage to buildings, though it may be unhealthy to the villagers as are most ponds near villages.

(c) The Haria Drain reduces the level of the water in the pond but cannot drain it completely, nor was it ever intended to drain it completely.

(d) Government will continue to maintain the Haria Drain to prevent excessive water levels in the pond.

## GOWSHALAS UNDER THE CONTROL OF DISTRICT BOARD, MUZAFFARGARH.

**258. Munshi Hari Lal :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether there are any model *gowshalas* maintained by the District Board, Muzaffargarh ;
- (b) if so, the places where they are situated and the dates of the commencement of each respectively ;
- (c) whether it is a fact that the *gowshala* at Jatoi under the control of the said District Board has been closed ; if so, when ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) No.

(b) Does not arise.

(c) Yes, on the 14th June, 1937.

MODEL GOWSHALAS MAINTAINED BY DISTRICT BOARD, DERA GHAZI KHAN.

**259. Munshi Hari Lal :** Will the Honourable Minister of Public Works be pleased to state—

(a) whether there are any model *gowshalas* maintained by the District Board, Dera Ghazi Khan;

(b) if so, the places where they are situated and the dates of their commencement respectively?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) No.

(b) Does not arise.

MODEL GOWSHALAS MAINTAINED BY GOVERNMENT.

**260. Munshi Hari Lal :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether there are any model *gowshalas* maintained by the Government in the Muzaffargarh and Dera Ghazi Khan districts;

(b) if so, the places where they are situated and the date of their commencement respectively?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) No.

(b) Does not arise.

DAMAGE TO PADDY CROP IN SHEIKHUPURA AND GUJRANWALA DISTRICTS.

**261. Lieutenant Sardar Naunihal Singh Mann :** Will the Honourable Minister of Revenue be pleased to state whether the Government is aware of the fact that there has been a serious damage to paddy crop in Kharif 1937 in Sheikhupura and Gujranwala districts due to hail-storm on the 9th of October, 1937; if so, the steps the Government intends to take to give relief to the zamindars of the affected area?

**The Honourable Dr. Sir Sundar Singh Majithia :** Yes, some damage was caused. With regard to the relief afforded, the attention of the honourable member is invited to the answers given to parts (b) of questions Nos. \*1004<sup>1</sup> and \*1008.<sup>2</sup>

REMISSIONS IN LAND REVENUE AND ARIANA IN SHEIKHUPURA AND NANKANA TAHSILS.

**262. Lieutenant Sardar Naunihal Singh Mann :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether the Government is aware of the fact that cotton crop of Kharif 1937 has been badly damaged by duststorms and scarcity of canal water in Sheikhupura and Nankana tahsils;

<sup>1</sup>Page 371-72 ante.

<sup>2</sup>Page 373 ante.

[S. Naunihal Singh.]

(b) if the answer to (a) above be in the affirmative, whether the Government intends to grant any special remissions in land revenue and *abiana* charges to the zamindars of the said tahsils; if so, how much; if not, why not?

**The Honourable Dr. Sir Sundar Singh Majithia:** I regret that the answer to this question is not yet ready.

#### PUNISHMENT FOR EXACTING *BEGAR*.

**263. Chaudhri Prem Singh:** Will the Honourable Minister for Revenue be pleased to state the action usually taken by the Government against such of its officers as indulge in getting *begar* work?

**The Honourable Dr. Sir Sundar Singh Majithia:** The question does not arise as so far no such case has been brought to the notice of Government.

#### PUBLIC WELLS AND HARIJANS.

**264. Chaudhri Prem Singh:** Will the Honourable Premier be pleased to state whether it is a fact that the members of the untouchable classes are not allowed to make use of public wells and tanks; if so, the action the Government intends to take in the matter?

**The Honourable Major Sir Sikander Hyat-Khan:** Government is not in possession of information about tanks. As regards wells the honourable member is referred to the replies given to the following questions in the Punjab Legislative Council:—

- (1) Part (c) of question No. \*698<sup>1</sup> put by Rai Bahadur Lala Mohan Lal on 8th May, 1931.
- (2) Question No. 991<sup>2</sup> put by Sardar Hari Singh on 18th March, 1929 and the reply printed on pages xxxiv-xxxv of appendix to Punjab Legislative Council Debates, Volume XII.
- (3) Question No. \*2688<sup>3</sup> put by Pandit Mehar Chand on 24th February, 1930.

#### RESOLUTIONS.

##### NORTHERN INDIAN CANAL AND DRAINAGE ACT.

**Nawabzada Muhammad Faiyaz Ali Khan** (Karnal, Muhammadan, Rural) (*Urdu*): Sir, I beg to move—

3 P. M.

This Assembly recommends to the Government to appoint a committee to suggest necessary amendments in the Northern Indian Canal and Drainage Act and the rules made thereunder.

Sir, I may submit at the very outset that this Act was passed in 1875. It has been in operation for the last 60 years or so. During this long period

<sup>1</sup>Volume XIX, page 264.

<sup>2</sup>Volume XII, page 856.

<sup>3</sup>Volume XV, page 15.

several colonies have been brought into existence. The population of these colonies and of the province is always on the increase. But it is very strange that in spite of all this no steps have ever been taken to make necessary amendments in the Act. During this period the prevailing conditions always demanded that necessary changes should be made in the Act and the rules made thereunder but no action has so far been taken in the matter. My object in moving this resolution is to invite the attention of the Government to the necessity of making the requisite amendments in the Act. Take the case of water-rates. It is too heavy to be borne by the poor zamindars whose condition is really pitiable. It would indeed be a praiseworthy act on the part of the Government if it were to take steps for reducing the present enhanced water-rates. I am definitely of the opinion that under the present state of affairs there is sufficient scope for the reduction of the water-rates as it would lighten the burden of the zamindars. The present state of affairs emphatically demands that the poor zamindars should be helped in this respect. It is, therefore, requested that the amount of the water-rate should be fixed and should in no way be enhanced.

My second submission is this that the drainage system of the province should be improved forthwith. I believe that if early steps were taken for the improvement of the said system the fear of waterlogging would become a thing of the past.

**Sardar Muzaffar Ali Khan Qizilbash :** On a point of order, Sir. Can the honourable member being a member of the Government—as he is a Parliamentary Private Secretary—move a resolution on a day which is meant for business other than Government business? The other day you were pleased to give a ruling that parliamentary secretaries cannot ask questions.

**Mir Maqbool Mahmood :** With regard to that point, I would submit, Sir, that in the first place parliamentary private secretaries have no administrative duties. Their duties are social and they are intermediaries between the members of this House, the public and the Ministers. Secondly, on reference to rule 8 of our rules, you will find that—

The Leader of the House after considering the state of business of the Assembly and after consultation with the Speaker shall allot so many days as may, in his opinion, be possible compatibly with the public interest for business other than Government business... may allot different days for the disposal of different classes of such business,

I submit that this resolution is not Government business and so long as it is not Government business it should be allowed to be moved by the honourable member.

**Minister for Education :** This objection, whatever its worth, has been raised too late. In fact the honourable member has already moved his resolution.

**Pandit Muni Lal Kalia :** A point of order can be raised at any stage of the debate.

**Mr. Speaker :** I must confess that I do not know the difference between a parliamentary secretary and a parliamentary private secretary. I must consult the Premier before I can give my final ruling. So, I am not in a position to give just now my considered ruling on this point. But I hope to be able to do so in the course of the day. As to the objection raised

[Mr. Speaker.]

by the Honourable Minister for Education that the resolution having been moved, it is before the House, I may inform the Honourable Member that no matter can be said to be before the House merely by its being moved by a member. A matter is before the House only when it is proposed from the Chair.

**Mian Abdul Aziz :** The other day when Sayyad Amjad Ali Shah rose to put a question, you were pleased to remark that he being a member of the Government could not do so. In this case too the honourable member is a parliamentary private secretary and therefore should not be allowed to move a motion.

**Mr. Speaker :** A question is entirely different from a motion or a Bill. Even the Premier moves Bills and resolutions. The only point which requires consideration in this connection is whether on a day fixed for business other than Government business, a parliamentary private secretary or for the matter of that any member of Government can move a motion or a Bill. Under the rules, as they stand at present, there seems to be no prohibition, but, as already stated, the matter will be considered and a ruling given in the course of the day.

**Minister for Revenue :** With your permission may I say one word with regard to these parliamentary private secretaries? These private secretaries have got no official business to transact so far as the departments of the Government are concerned. That is to be transacted by the parliamentary secretaries. Their duties are generally concerned with social functions. They are connecting links between the Ministers and the members of the House.

**Lala Deshbandhu Gupta :** I submit that the House does not even up to this moment know the duties of the parliamentary secretaries as well as those of the parliamentary private secretaries although a demand has been made several times. The Leader of the House has not yet made any statement in this connection.

**Mr. Speaker :** I hope to go into this question. In the meantime I will allow the resolution to be moved. I will give full consideration to the matter and let honourable members know my final decision later on.

**Nawabzada Muhammad Faiyaz Ali Khan (Urdu) :** Sir, I was submitting that the danger of waterlogging is being felt in many parts of the province. We are daily receiving complaints to this effect from one quarter or another of the province. If necessary amendments are made in the Act and the rules made thereunder, the danger of waterlogging would cease to exist.

In view of the usefulness of the resolution moved by me, I hope that no honourable member of this House would have any objection to it. It is claimed that not only the Unionist Government but the Opposition also are the well-wishers and defenders of the poor zamindars. If such is the case, I hope and trust that this resolution would be accepted by both sides of the House. With these remarks I commend my resolution for acceptance by this august Assembly.

**Mr. Speaker :** The resolution moved is—

This Assembly recommends to the Government to appoint a committee to suggest necessary amendments in the Northern India Canal and Drainage Act and the rules made thereunder.

**Sardar Partab Singh** (Amritsar South, Sikh, Rural) (*Punjab*) : Sir, I have risen to support the resolution now before the House. (*Hear, hear, from the Treasury benches*). Mr. Speaker, the honourable members over there should not feel elated at my rising in their support. They would be justified in gloating over their success if they manage to have a really useful Canal and Drainage Act amended and passed. For the present, the resolution before the House seeks the appointment of an enquiry committee, and, while lending my wholehearted support to it, I think I would be failing in my duty if I do not urge upon the Government the desirability of appointing a committee which may boldly suggest effective ways and means for redressing the grievances of the zamindars resultant from the working of the Act. Of all the government departments, the three departments of police, revenue and irrigation stand conspicuous in multiplying the worries of the agriculturists. In particular, the Irrigation Department is despotic in its outlook so much so that it considers the zamindars as mere chattels. I, therefore, feel that the Act should be so amended as to be really beneficial to the zamindars. The department of Irrigation came into existence in 1878, and since then it has exploited the zamindars very much. A glance over the budget will reveal that this department contributes about 5 crores towards the provincial exchequer and this contribution amounts to about one-half of the total income of the province. If we add khush haisiyyat tax, over and above the water rate charges, the amount exceeds even 5 crores. I will, therefore, submit that when the proposed committee comes into existence it should specially go into the questions of Kharaba and khush haisiyyat tax. If we just look at the manner in which the khush haisiyyat tax is imposed, it will become abundantly clear how Government loots the ignorant agriculturists.

**Minister for Revenue :** May I ask if the word "lootde" لُٹا (is parliamentary? The honourable member has said that the government is looting the zamindars and my honourable friend has used the word لُٹا).

**Mr. Speaker :** Even if not unparliamentary, the word is too strong.

**Sardar Partab Singh :** If Government feels offended by the use of the word "looting" and if the Revenue Department is also annoyed by its use, they would be well advised to remove the grievances of the agriculturists so that we may never find an occasion to use this word.

The Punjab Government recovers one crore and 80 lakhs from the zamindars on account of khush haisiyyat tax which is levied on the canal irrigated area over and above the water rate charges. The moment a barani area comes under canal irrigation, the Government at once, declares that the land in question has improved in capacity, and, in view of that, enhanced rates of land revenue are imposed forthwith. This additional land revenue is termed as khush-haisiyyat tax. I fail to understand how water supply can actually improve the capacity of the land, when the area has undergone no change in dimensions. Nevertheless the Punjab Government recovers, on the pretext of improved capacity, one crore and eighty lakhs from the

[S. Partab Singh.]

zamindars. A little while ago an exception was taken to the use of the word 'looting'. But in my humble opinion the word looting is too mild to describe the action of the Government.

Now let me come to the rules governing the grant of kharaba made under the Northern India Canals and Drainage Act. In the case of total failure of a crop all that the Government do is that they remit revenue and water charges, but do not care to compensate the zamindars for the initial expenditure they had incurred and the labour they had put in. If a crop is twelve annas in the rupee, no kharaba is granted at all, and if it is eight annas in the rupee, no kharaba is granted even then. But if the crop is seven annas and nine pies in a rupee then the Government consider whether or not a kharaba should be granted. There are certain crops in regard to which mere inspection would not enable the revenue assistants or patwaris to assess kharaba accurately. I may point out that the Canal Department is so narrow-minded that however bad the condition of a crop may be, it would not grant full kharaba. I, therefore, submit that the zamindars whose crops have failed or whose income is very small cannot in the least benefit unless they are reasonably compensated by the grant of kharaba. In fact we cannot realise the exact nature of the excesses of the Canal Department, unless we go into details. I would like to cite an instance which will go to show how the Canal Department inflicts hardships on the poor zamindars by recovering double charges. A zamindar sows cotton in a field. After some time he finds that the crop has failed. He cultivates his land again and sows toria. When the crop is ready the Canal Department would charge water rates both for the cotton crop that has failed and the toria crop, totally ignoring the fact that two crops could not be grown at the same time and at the same place. I would, therefore, urge upon the Government that in case of those zamindars who on failure of their crops in the first instance cultivate the land again and sow ~~jhona~~ or some crop, they should charge water rates on one crop only.

I understand that this year the Canal Department has recently framed and enforced certain rules in respect of cotton and toria crops. I admit they will benefit the zamindars, but the question does not relate to the cotton and toria crops alone. The rules should be made applicable to other crops as well.

Besides, I may point out that this year the maize crops have been almost destroyed by locusts. I am myself a zamindar and my first maize crop totally failed on account of the locust. I sowed it for the second time and again it met with the same fate. I am not the only victim; there are thousands of other zamindars also who fared similarly. I cannot help stating again that when we go to our villages the poor zamindars vehemently complain against the realization of water rates, i.e. on the ripe crops as well as on those which have failed. They also complain that the Canal Department has laid it down that applications for grant of kharaba must be submitted to the officers concerned by the 15th of September each year and no applications which reach these officers after that date will be considered. This is really a great hardship. Previously the rules were much better as they provided ample time for the submission of applications for grant of kharaba. My submission is that so long as radical changes are not effected in the rules relating

to the grant of kharaba and so long as the officers of the Canal Department are not required to spend sufficient time in inspecting the crops in order to know their real condition and to find out how much kharaba ought to be granted, no benefit can accrue to the zamindars. I would, therefore, strongly ~~x~~ urge upon the Government the advisability of appointing a committee which may thoroughly go into the matter and suggest such amendments in the Northern India Canals and Drainage Act and the rules made thereunder, as may prove to be highly beneficial to the much afflicted zamindars. But I should like to make it clear that I do not want a committee which should be appointed by Government with the sole object of providing employment to certain members of the Unionist Party. The proposed committee should be fully representative having sympathies with the zamindars. I would also submit that when this committee presents its report to this august House, the Unionist Government should take the courage in both hands and come forward to accept it unreservedly and should not oppose it on the ground of an expected fall in revenue under the head water rates and land revenue. It would not be out of place to mention that this is a question which concerns the best interests of the zamindar community as a whole. No party dissensions or bickerings should stand in our way. The voting should not take place on party lines. I would request the honourable members to vote for the resolution unanimously.

I am confident that the proposed committee would rise to the occasion and after diagnosing the ills of zamindars would suggest such amendments in the said Act as would remove the grievances of zamindars regarding the grant of kharaba and excesses perpetrated by the Canal Department. With these words I strongly support the resolution under consideration and request that the proposed committee should expedite the matter, so that the amendments suggested by it may soon be accepted by the Assembly during the next budget session. Early legislation in the matter would bring great relief to the zamindars and lighten their burden.

**Khan Bahadur Chaudhri Riasat Ali** (Hafizabad, Muhammadan, Rural): Sir, I think it is a very great privilege to me to support this resolution which has been welcomed by every section of this House. I am very glad that as usual honourable members sitting on the Opposition benches are very keen to uplift and ameliorate the condition of the poor zamindars of this land of five rivers. But I am surprised to find that in spite of the fact that a similar resolution was passed on the floor of this House during the last Legislative Council on the 24th November 1932 and it was moved by no less a person than the then leader of the party, Rao Bahadur Chaudhri Sir Chhotu Ram, in spite of that no action seems to have been taken so far (*hear, hear*). The matter was thoroughly discussed and very valuable suggestions were received but nothing has been done. We have now a more sympathetic government and I think it should move at double pace and try to remove the grievances of the poor peasantry of this province. Even the age limit of the Judges of the High Court is 60 years and everybody is expected to retire at that age, but this Act has not changed nor retired. It has only undergone some minor amendments during its life. The first was when under the rules the definition of the word "occupier" was suggested. Another amendment was made when the local Government was given the power independent of the central Government to change the rates of abiana. But for these

[K. B. Ch. Riasat Ali.]

amendments the Act remains the same. It is of course antiquated and out of tune with the present circumstances. At the time when the first irrigation by means of canals was started, these canals were a boon to humanity generally and to the peasant proprietor particularly. But after these canals have run for so many years now, as ill-luck would have it, they are, more a source of loss than of profit. You will remember how vast territories, vast areas of land have been rendered waste by waterlogging or on account of *Thur*. Colonists have had to change their land, not once but twice, but even those lands which were given to them for the second time have failed to give any yield. So my submission is that there is the strongest case possible for making changes and immediate changes in the provisions of this Act.

I might say a word as to the reason why there have been no changes so far. It might be said—I do not think it will be said to-day—that this Act has stood the test of time for so many years, therefore it should not be changed. I assure you that the Act has not been changed not on account of the reason that it has stood the test of time but on account of the fact that it relates to the interests of a portion of the population which is dumb and has no organisation and which has no press at its back to support its cause. That is the reason. Had it not related to the interests of the zamindars there might have been so much propaganda in the Press and on the platform, that early opportunities would have been taken by this time to have it amended not only twice or thrice but at least eight times on an average of eight years per amendment.

That much for the reason or argument advanced in favour of the need for the amendment of this Act. Let me remind you and I cannot emphasise that too much, that unless we ameliorate the condition of the zamindar there is no hope for anyone else to prosper. You must look to the needs of the man who is toiling in the scorching heat of the summer when you are resting under your electric fans, and you must look to the necessities of the man who is working in the freezing cold of a winter night when you are lying down in your bed with electric heaters on. There is no need further to emphasise that the change of the whole province in any sphere of life is dependent totally on the change of outlook towards the proprietor, the cultivator or the zamindar as you call him. If he is doing well you are bound to shine and if he is failing you are bound to fade. I do not think that I need say anything further in this respect. Everybody here realises that our only hope to ameliorate the condition of the province lies in the fact that we ameliorate the condition of the zamindar, and I am proud of the fact that this part of the House, at least the Party to which I belong and the Government in office has never failed in its duty to look to the interests of the zamindar.

So much for the general discussion about the need to amend this Act. I would request, the honourable members that it would be more valuable if they give us concrete suggestions on the floor of this House where there is a failure and point out things which can be bettered. That would be better than going the other way, that is generalising things. I will take up that course of action myself.

The first thing to which I will draw the attention of this House is the provision regarding commandeering of forced labour or *begar* as it is called

in villages at the time the canal authorities want it. The rules relating to that are not satisfactory. Of course there is a rule that a canal officer by a written order delivered to a *lambardar* through his subordinates can ask or commandeer a number of people for help in case of emergency. There is also a very good rule that these people will be paid at a rate which is current in the locality and thus they will not have to serve on *begar*, but instances can be quoted, they can be multiplied to any number where this special privilege has been misused and it is very strange that there has been no amendment of this rule.

The next thing which I would submit is the question of closures of these canals. Of course it is always argued that closures are necessary on account of some repairs in the headworks or in the beds of canals or other masonry works which are necessary to be accomplished during the dry season. But on account of the failure of the water supply in the river, canals go on in rotation system, but people have suffered greatly on account of the failure of these canals to supply the water and on account of the long closures and there must be strict rules framed and incorporated in these rules which should regulate the number of closures and minimise the difficulties and misfortunes of the zamindars.

Then the third thing is the question of supply of water on volumetric system. The canal authorities always discourage the supply of water on the volumetric system. The reason which they give is that if we give water in bulk supply it is very difficult for us to realise the *abiana* because people are not personally responsible for the payment of the *abiana*. Moreover, it is stated that when peasant proprietors are assessed at different rates on an average of 2 or 3 *kilas* it is very easy for them to pay and it is easier for the Government to realise that individually. But the fact which seems to me to be underlying this thing is that the canal authorities do not want to see their *lambardara* in any way minimised, abolished or undermined. Therefore I would submit that in these days of economic depression if a contractor is coming forward, be he a zamindar—and there is no reason to refuse him if he is the sole proprietor of a village,—the Department should not refuse him but in villages where there are two or three co-sharers, this system of water supply may be encouraged and rules could be changed in that particular respect also.

The next question which is very important is the amendment so far as the *kharaba* rules are concerned. There are two kinds of remissions. The first is called the "ordinary remission" and the second is called the "calamity remission". So far as the ordinary remission is concerned, the rule is that if a certain acre of land is capable of yielding up to 4 *annas*, the zamindar who has sown that field should not be given any remission whatsoever. This rule is very hard. It is very difficult for an honest judge also to see whether a particular crop is yielding up to the limit of  $4\frac{1}{2}$  *annas* or  $3\frac{1}{2}$  *annas*. It is a very minute calculation and if a crop is yielding  $4\frac{1}{2}$  *annas*, there is no difference, practically speaking, in the income of the zamindar. But the poor zamindar does not get the full remission if his crop is less by one *pice*. What I would therefore suggest is that a graded scale of remission should be fixed. You may give full remission for *annas* 4; half remission for *annas* 8; one-quarter remission for *annas* 12 and so on. This will improve the condition of the zamindar very much.

[K. B. Ch. Riasat Ali.]

The second kind of remission is the calamity remission. My first objection to that is that under the rules a list has been prepared for all those calamities for which special remission could be given, for instance, wind, hailstorm, rain, so on and so forth. Our trouble is that there have been cases where certain diseases crop up which are not covered by this list for example *lishk*, ليشك as you call it or cloud with flash of lightening, by which a whole crop is spoiled. So my point is that these Mychological diseases, as they may be called, should be entered in the list of those calamities for which special remission should be given. The list might be expanded, enlarged, or added or widened or whatever it is, but the scope of remission on account of calamities should be widened as much as possible.

The next question which I might submit is the question of tawan in the case of wastage of water or let me say in case of breaches. So far as the wastage is concerned, these canal officers are invariably most unsympathetic rather than sympathetic. Suppose in a certain killa a ridge or banna as it is called is undermined by a rat and a rat hole is made and water gushes out of that hole and a certain volume of water is scattered over the surrounding field; no matter whether there is crop on it, no matter whether it is a matured crop or whether it is a waste land, the rate at which the "Ab-zaia" is charged is always usurious, more usurious than the interest in the Usurious Loans Act. Rules must therefore be framed to regulate this. It is the zilladar who goes there for inspection. You know how hopelessly the village is divided into factions on account of our benign Government's system of elections and these petty officials always side one party or other and people go on suffering till the next election, till an officer or a minister of their party goes into office. They must go on paying tawan all these years. So I think that either the sub-divisional officer or the executive engineer should go to the spot in each case. Similar remarks apply to *nakas* and in case of *nakas* there is another misfortune which reminds me of an interesting short story which I will relate. What are the rules? Somehow or other if it is impossible for an officer who has gone to the spot to enquire into the matter and he is not sure who are the people who caused this *naka*, the whole village is fined. Look at that: It is said:—

نقل کٹر کٹر نباشد

**Mr. Speaker:** As many honourable members wish to speak on this resolution, I would request the honourable member, who has already spoken for more than 15 minutes, to wind up his speech.

**Khan Bahadur Chaudhri Riasat Ali:** I will only mention one or two points and finish. I will eliminate the story. The next is the question of double crop. It is left to the sweet will of the patwari to record whether there has been a double crop, viz., wheat and sag, kapas and makki and so on. Even if there are 4 plants of the higher crop and he reports that there has been a double crop, abiana will be charged at the higher rate. I do not understand the reason why this is done. Even if there are four plants of wheat and the rest is sag, abiana is charged at the rate for wheat. There should be a proportion, fixed for assessing the rate say 50—50 or something like that according to the proportion of growth of each crop.

Another thing which is very important is the question of levying abiana on grass. If on account of some breach or some wastage water enters the field which was banjar the canal authorities will charge at the rate of Rs. 1½ per acre which is totally unjustified. The idea is that if grass nursery is made in that case alone they should charge the full rates. But even if land is filled with rain water and grass is grown they charge Rs. 1½ per acre. My suggestion is, charge them at the rate of *Rauni* say Re. 1 per acre or do not charge them at all.

My last suggestion is in regard to *Rauni* cases. A field which is watered once comes under *Rauni*. After that if you sow wheat, gram or something else you have to pay for the thing at the same rate in spite of the fact that you have not watered it for the 2nd or 3rd time. Even if you have got water once you have to pay for the crop. This is unfair. We must charge it at the *Rauni* rate.

Then the last thing is what is called *wadhawattar*. There is a presumption in this law which is always against the cultivator. In all other laws the benefit of doubt is given to the accused person, but here the benefit of doubt is given to the prosecutor that is, the Government and against the cultivator. The trouble is that it is presupposed that in a field of jawar which cannot retain any moisture, the presumption is that the cultivator must have used canal water, and anything which is there is always charged at the rate of the crop which is sown there.

Then the last thing is that the amount of tawan relating to a breach or wastage, as I have mentioned, is assessed by the zilladar for these zamindars. The final authority in some cases is the executive engineer and the appeal goes to the commissioner, I do not object personally to the standard of high justice, which the commissioner does always maintain. But my contention is that he is a party to the case—the collector or the revenue officer. It will be very fair if these appeals, between one department and the other party—the poor cultivator—are made to a civil judge or a civil court for an independent decision. I had to make many other valuable suggestions but as my time is up I must resume my seat.

**Chaudhri Ali Akbar** (Gurdaspur East, Muhammadan, Rural) (*Urdu*) : Sir, honourable members are already aware of the subject under discussion. It concerns the appointment of a committee to propose necessary amendments to the Northern India Canals and Drainage Act. The urgency of the matter demands that the valuable time of the House should not be wasted by making lengthy speeches. The Honourable Minister for Revenue will bear me out that the Act under discussion is really a very old one and it does need amending. This Act has been in force since the construction of the Upper Bari Doab Canal in 1860. The volume of water flowing through this canal was 1,300 cusecs, while now it has decreased to only 35 cusecs. I can support my statement by giving numerous instances, but for the sake of brevity I will make use of two instances only. It is laid down in the rules for the grant of kharaba that a sub-divisional officer must inspect the crop before he grants kharaba. But if prior to the visit of the sub-divisional officer the zamindar were to recultivate his land, he would not be granted kharaba. The zamindar in order to obtain kharaba has to apply in the first instance to the colonization officer. This officer forwards his application

[Ch. Ali Akbar.]

to the sub-divisional officer, who in turn passes it on to the zilladar of the ilaqa. The zilladar after an inspection of the crops decides the extent to which kharaba can be granted. During all this period the zamindar is supposed to leave the crop as it is, since the kharaba can only be granted if he does not cultivate his land again until it has been inspected. By the time his land is inspected the season for the rabi crop is over and it cannot be grown. Thus the zamindar's kharif crop failed through natural causes and the next crop cannot be grown because of the delay caused by the canal authorities in assessing the extent of the kharaba. This is a source of great hardship to the zamindar.

It is laid down in section 9 of the Northern India Canals and Drainage Act that in the earlier stages of water-logging the zamindar affected should not be paid anything by way of compensation. This has rendered large areas of land unfit for cultivation. Since the canal authorities are not bound to give compensation in the earlier stages of water-logging they do not pay any attention to this matter and do not take any action for the prevention of the same. In view of the facts just mentioned the Act needs to be amended.

If I were to point out defects in the Northern India Canals and Drainage Act I could cite any number of them, but I do not want to waste the time of the House by stressing the point any further. But I beg to submit that as the zamindars are the people mainly affected by the said Act, the members of their own community alone and not those living in cities can realise and remove their difficulties. I would, therefore, request that a zamindar from each division should be included in the committee proposed for suggesting amendments to the Northern India Canals and Drainage Act. It is no use entrusting this work to urbanites. With these words I support the resolution.

**Sardar Ajit Singh** (South-West Punjab, Sikh, Rural) (*Punjabi*): Mr. Speaker, I rise to support the resolution under consideration. The greatest defect in the rules governing the grant of kharaba lies in the objectionable method adopted by the zilladars in granting the same.

**Mr. Speaker:** Is not the honourable member a practising lawyer?

**Sardar Ajit Singh:** No, Sir.

**Mr. Speaker:** Is the honourable member a B.A., LL.B.?

**Sardar Ajit Singh:** I am only an F.A. Sir. The method adopted is this. After a request is made by a zamindar for granting kharaba the zilladar goes to the spot for inspection. The state of the crops is observed and the zilladar returns home, where the business part of the matter is discussed. The zamindar applying for the kharaba is asked to pay one-third of the total amount of the revenue to be paid. For instance, if in the event of the crops being normal the zamindar would have been required to pay Rs. 30 he is now required to pay one-third of the sum to the zilladar, i.e. Rs. 10. If the zilladar's demand is complied with the zamindar achieves his object, that is, his crops are declared kharaba. But, if on the other hand, the zamindar is not in a position to pay anything to the zilladar the kharaba is not granted to him. Thus a payment of Rs. 3 per acre on the part of the zamindar

can buy the required declaration for him. In our part of the country that is, in the Nili Bar Colony even ordinary grievances sometimes cost the zamindar as much as Rs. 12 per acre which he has to pay to the zilladar in order to get them redressed, because the average tender money which a zamindar has to pay to the Government in case of temporary cultivation leases, is Rs. 80 to Rs. 86 per acre and one-third of this is Rs. 12 per acre. Thus the zamindar and the Government both are looted by the zilladars.

Again, there is another point and my honourable friend Chaudhri Riasat Ali has already thrown a flood of light upon it. The average yield per acre in Ganji Bar is 4 maunds of cotton and the standard of kharaba fixed by the Canal Department is to be less than one maund of cotton per acre. At present the market price of cotton is Rs. 5 per maund.

**Minister for Revenue:** What kind of cotton do you mean? Is it American or desi?

**Sardar Ajit Singh:** It is desi, Sir. The price of desi cotton is Rs. 4-12-0 per maund and the price of *narma* is Rs. 6-4-0. It means that the average price of cotton comes in the neighbourhood of Rs. 5-4-0 per maund. The standard of kharaba which is allowed is quite insufficient because the yield per acre that a zamindar gets is Rs. 5-4-0 per acre whereas he has to pay Rs. 10 to the Government as revenue: The standard should be raised and it should be increased from one maund to two maunds.

In the same way it is estimated that the average produce of wheat is 8 maunds per acre, but yields less than two maunds are allowed kharaba. Moreover, the zilladars often keep the matter of allowing kharaba in case of rabi crops pending without any reason and so on postponing it till the time of rabi harvesting. It is a matter of daily occurrence that no kharaba is allowed unless the zilladar is offered a bribe. The present system of allowing kharaba is hopelessly defective and I respectfully submit that a committee should be appointed immediately to enquire into the matter and submit proposals for the improvement of the present system of kharaba.

4 P. M.

**Mr. Speaker:** The question is—

That the question be now put.

*(After gathering the sense of the House, the Speaker declared 'Ayes have it' and his decision was challenged by the Minister for Revenue.)*

**Mr. Speaker:** I would have been only too glad to hold a division, but the challenge of my decision on collecting the sense of the House by voices came rather too late.

**Minister for Revenue:** No, Sir, I at once said 'Noes have it'.

**Mr. Speaker:** I am positive that 'Noes have it' came after I had declared.

**Premier:** We accept your ruling, Sir, and naturally nobody would like to dispute it. I think your attention was diverted to the other side of the House when my colleague got up.

**Mr. Speaker:** I am definite and positive that I paused for a while and then declared 'Ayes have it'.

**Premier :** As I submitted before, Sir, you are probably correct because your attention was diverted towards the other side. My colleague got up at once and the reason why he got up immediately is that there are other honourable members on this side who are anxious to speak on this motion. The honourable member from Amritsar has vast experience of this department and there are several other members who are keenly looking forward to an opportunity to speak.

**Mr. Speaker :** There was no interference by the other side. My whole attention was riveted to this side.

**Mrs. J. A. Shah Nawaz :** Sense of the House may be taken again over this question.

**Mr. Speaker :** Is there any objection to the sense of the House being taken ? (*Voices from the Opposition benches : Yes.*)

**Sardar Sampuran Singh :** It is purely a question of procedure. When once a ruling has been given and accepted by the Leader of the House, there is no occasion of the sense of the House being taken again.

**Premier :** I am surprised that the honourable member from Lyallpur who always professes to be a great friend of the zamindars should try to stifle debate on this very important motion which intimately affects the zamindars. We will be supporting their cause in agreeing to the proposal for taking the sense of the House.

**Nawabzada Muhammad Faiyaz Ali Khan (Urdu) :** Sir, it is gratifying to note that my honourable friend from Gujranwala has thrown a flood of light on some of the inherent defects of the Northern India Canals and Drainage Act and the honourable members of the Opposition have pointed out certain shortcomings of the rules governing the grant of the kharaba. But I would submit that unless the proposed committee comes into existence and goes into the whole question it will be difficult to ascertain exactly what the real defects are and how best to remove them. I would, therefore urge upon the Government the desirability of appointing this committee as soon as possible. The committee will suggest ways and means for removing the grievances of the zamindars regarding the working of the Act. With these words I again commend my resolution to the House for acceptance.

**Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majithia) :** Sir, I am sorry that on account of certain misunderstandings certain honourable members on this side of the House have not had the opportunity of speaking but I am not going to enter into that question at all.

**Sardar Sampuran Singh :** Has that upset your plans ?

**Minister for Revenue :** I am going to speak on the motion that has been moved by my honourable friend behind. My friend has asked that a committee might be appointed to go into the question of the amendments required in the Canal Act and the amendments required in the rules made under that Act. That is the proposition before the House. Several statements have been made in the speeches which have been delivered on the floor of this House which may be correct and which may not be correct. On this point, therefore, I crave your permission to be allowed to take full time for my speech so that I may be able to meet those points which have been raised by my honourable friends on the opposite side and some of the

mistakes which have crept in the statements that have been made by my friends behind me.

**Lala Duni Chand :** Is it not obstruction ? (*A voice : How ?*) The reason why he wants to take full time is that he does not want the other resolutions to come up before the House.

**Minister for Revenue :** It has been said on the floor of this House that this resolution was moved by my honourable colleague Chaudhri Sir Chhotu Ram. It was so moved and attempts were made three or four times afterwards to move similar resolutions. I have been asked by the House as to what was the fate of the first resolution which was passed by my honourable friend and colleague. That resolution was moved in the year 1932 and the division was close. I think the result of the division, if I am not wrong, was 29 to 27. Anyhow, after that division the matter was considered very carefully by the Punjab Government which included my honourable friend on my right, the Premier, who was in charge of the department of Revenue and Canals. The advice given by the Chief Engineer, Irrigation, was to the effect that a committee might not be appointed because it was a technical matter and as such it required technical officers to go into the details of the motions that were passed. Therefore, the advice of the technical department of the Government who deal with the Irrigation Branch, i.e., the advice of the Chief Engineer then in office was accepted by the Government and no further action was taken on it. After that there were several attempts made to move another resolution on the same subject. Once the resolution was not moved for want of time and the second time the resolution did not find a place on the ballot.

Coming to the question of the power of the Executive Government to enhance water rates, so far as I recollect there was one occasion on which Government exercised that right and rates were enhanced to the tune of something like Rs. 80 lakhs. But I may be permitted to inform the House as to what amounts were remitted afterwards. Modification of the schedule that took place in the year 1924 reduced the revenue by 25 lakhs and then re-classification of fodder crops in 1924 reduced another 5 lakhs. Reduction of rate of fodder crops in June 1925 reduced the revenue by 16 lakhs and further reduction in the rate of fodder crops for Rabi 1927-28 led to a reduction of 7½ lakhs in the revenue. As a result of the Abiana Committee Report of 1934 the revenue was further reduced by Rs. 34 lakhs. The enhancement that took place was about 80 lakhs and the reduction comes to 87½ lakhs. Therefore, the abiana rates that were in force before these were raised were reduced by 7½ lakhs on the whole. My honourable friend Sardar Partab Singh said that the Government is looting the zamindars. I do not know how far that allegation is true and I am not going to say anything on the subject, but I may be permitted to point out the amount that the Government is getting from the canals. The total amount that we collect in abiana is something like 5 to 6 crores. One crore and sixty lakhs is the expenditure for the upkeep of the canals which is deducted from the proceeds. Thus a certain amount is left which comes to about, what my honourable friend said, rupees five crores and something odd. As regards the cost of the canals to the province, I think something like 58 crores have been spent in making these canals and the interest that the Government has to pay on this amount

[Minister for Revenue.]

comes to about 4 crores. Under the circumstances, I am afraid, the Government could hardly be considered to have looted the zamindars. Fifty-seven lakhs are left if we have to take into account the interest that we have to pay on the amounts that we borrowed for the construction of these canals. During the course of the discussion it has been pointed out that canal officers take a sort of *begar* or forced labour. I trust my friends will not be astonished if I tell them that this rule is not in force generally on all the canals. It is only in force on the Sutlej Valley Canals and on some of the inundation canals in the Muzaffargarh district. Supposing a breach has taken place—whether that breach has taken place accidentally or whether it has taken place due to mischief by some one making a hole in the canal bank—the damage not only by the water has to be taken into account but we have to see that the breach that has been made in the canal must be repaired as early as possible in the interest of the province as a whole.

**Sardar Sampuran Singh :** On a point of order, Sir. I think the Honourable Minister is irrelevant.

**Minister for Revenue :** I am only replying to the criticisms that have been made. I do not know whether my honourable friend is in order to raise a point of order.

**Mr. Speaker :** The honourable member may proceed.

**Minister for Revenue :** I was just saying that supposing a breach in the canal has taken place, I think that it would be in the interest of the province as a whole that that breach should be stopped at once. Therefore if the labour is not available on payment as it has been pointed out this morning in reply to a statement that was made that a certain lambardar did not carry out his duties and even on payment he did not supply provisions to repair the breach, what are we to do ?

*(At this stage Mr. Speaker left the chair and it was occupied by the Deputy Speaker.)*

Are we to allow the canal water to go to waste and inundate the whole of the area round about the breach ? That is the position, which I want honourable members of the House to realise. On the top of that I want to say that the matter only refers to the Sutlej Valley Canal and some of the inundation canals and there too under the orders of the Government of India we are stopping this forced labour. I do not understand how a complaint could be made when power to get labour (though on payment) in a way forcibly is going to be stopped under the orders of the Government.

Coming to the canal closures, my friends would understand that it is not in the interest of the canal administration to close the canals when water is required by the zamindars. We only close the canals when the zamindars do not want water or when on account of heavy rain or flood in the river it is necessary to close this canal ; otherwise, if we do not close the canal by the muddy water that comes in the river the whole of the canal will be silted up and will require greater amount of expenditure which shall have to be undertaken if the closure is not brought about. On the other hand I may say that we are trying to close the canal only on occasions when it is absolutely necessary to do so ; otherwise, there is no intention on the part

of the canal department to close down the canal and lose Government revenue. Now it has been asked by my friend why warabandi system is not adopted by the people.

**Lala Bhim Sen Sachar :** May I know if the Honourable Minister is speaking for or against the resolution ?

**Minister for Revenue :** I am coming to that. If my friend would very kindly wait a little time I shall give the indication.

Coming to the question of warabandi system, Sir, it is a very ticklish question. The warabandi system can only be enforced in places where there is one landholder who has to take the canal water. As my friends on the opposite benches and other members of the House know, water is shared by many irrigators. Under these circumstances the Government sometimes find that these irrigators do not come to an agreement between themselves. If they do not come to an agreement between themselves it is the duty of the canal officers to arrange the distribution of water and generally they do so after making the irrigators agree to that. On the other hand I may say that there are hardly 900 people who can take advantage of volumetric system. I am sorry to say that only a very small number of people one or two at the most have taken advantage of the volumetric system. I personally feel that if people take water on volumetric system and if they agree to distribute water themselves without any friction or trouble, all the troubles of the people which have been placed before this House would be removed.

Coming to the kharaba, my friends opposite, particularly my friend, Sardar Ajit Singh, gave us some figures though he refused to answer my query. I hope he is giving these figures from his own personal experience. He is a zamindar himself. But he has avoided to tell me what is the outturn of the crop. If he had told me I would have been in a position to say something on the subject. I hope and trust that he has himself passed through that experience he described and if he has himself given bribe, if I may say so, to the people he is as much guilty as those persons whom he has alleged to have accepted the bribe. I strongly and vehemently oppose such a suggestion coming from my friend opposite.

**Lala Duni Chand :** The policy of the Government forces the people to give bribes.

**Minister for Revenue :** There are canals in other provinces and these things may be happening there also and if some solution of this, which we deprecate as strongly as possible, is found we will be the first to apply that remedy. (*Lala Bhim Sen Sachar :* Is it not within the knowledge of the Government ?) You have your own knowledge and we have our own knowledge. What I feel is that it is uncharitable on the part of any person in the House to attack those who cannot have the opportunity of defending themselves from such attacks. By closure motion which has been moved by my friend opposite a large number of members of this Assembly would not have the opportunity to put forward the other side of the picture.

**Pandit Muni Lal Kalia :** Is the Honourable Minister speaking to the motion ?

**Deputy Speaker :** The Honourable Minister is perfectly in order.

**Pandit Muni Lal Kalia :** He is questioning the ruling already given by the Speaker.

**Minister for Revenue :** Not at all. I am advancing my arguments on the subject.

Coming to the question of kharaba rates and the amount of remission that we have given, with your permission I will give a few figures of what we have done on account of the hailstorm and what we have done since then (*Lala Duni Chand* : That has been repeated *ad nauseum*).

**Sardar Partab Singh :** Can the question of hailstorm be discussed by the Honourable Minister ?

**Deputy Speaker :** The Honourable Revenue Minister is perfectly in order in explaining the various points.

**Minister for Revenue :** As far as the question of abiana is concerned I will be able to state what remissions have been given. Incidentally I may mention remissions in land revenue on account of the damage done by the first hailstorm :—

					Rs.
Land Revenue	..	..	..	..	7,81,741
Abiana	..	..	..	..	8,08,879
Rent ..	..	..	..	..	10,233
Total					16,00,853

On account of damage done by gram blight, shrivelling of wheat, etc.—

Land Revenue	..	..	..	..	6,41,843
Abiana	..	..	..	..	4,41,612
Rent ..	..	..	..	..	70,357
Total					11,53,812
or grand total of					27,54,665

Coming to the recent hailstorm, my friends will be glad to know that something like a total of Rs. 7,16,761 has been remitted by Government both in abiana and land revenue. These are the figures of which we are proud. We have helped our poor brethren to that extent. Can anybody say that we have not done our duty ? We have done our best to alleviate the sufferings of our brethren of the zamindar class who have suffered by these calamities.

**Begum Rashida Latif Baji (Urdu) :** Sir, I rise to a point of order. May I enquire from the Honourable Minister whether the burden of the allowances that will have to be paid to the members of the proposed committee will fall on the shoulders of the zamindars ?

**Deputy Speaker :** That is not a point of order.

**Minister for Revenue :** Now I come to the question of *wadh wattar*. I may be permitted to inform my friends that this has stopped on our canals, except on the Sutlej Valley Canal. Rules have been framed and a period

has been fixed for that. I would not deal with the other parts of the subject, but must come now finally to the question of the committee.

I may be permitted to say that the proposal which has been put forward by my friend has the sympathy of the Government. We will look into the matter and decide the question and if need be appoint a committee to go into the matter of these rules. On the other hand, I may say that this Act which was originally framed by the Government of India in 1873—as old as myself, perhaps one year younger than myself—has stood the test of time. It has been current not only in the Punjab, but in the North-West Frontier Province, the United Provinces and in the Central Provinces. But under the present changed system we are probably in order in making changes or amendments in the rules. I wish I had had some good suggestions for amendments that may be made of which I was deprived by the honourable mover of the motion, which would have enabled me to have the benefit of the advice that is given to me, but I hope and trust that when the time comes for the appointment of the committee which we hope we shall be able to appoint, the whole question will be considered. Therefore I am prepared to support the resolution moved by the honourable mover.

**Deputy Speaker :** The question is—

This Assembly recommends to the Government to appoint a committee to suggest necessary amendments in the Northern India Canal and Drainage Act and the rules made thereunder.

*The motion was carried.*

#### EXEMPTION FROM ATTACHMENT OF AGRICULTURAL PRODUCE.

**Chaudhri Faqir Chand** (Karnal North, General Reserved Seat, Rural) : Sir, I beg to move—

That this Assembly recommends to the Government that a notification under section 61 of the Civil Procedure Code be issued forthwith.

**Deputy Speaker :** The resolution moved is—

That this Assembly recommends to the Government that a notification under section 61 of the Civil Procedure Code be issued forthwith.

**Sardar Kapoor Singh** (Ludhiana East, Sikh, Rural) : I rise to support this resolution. You will find from to-day's proceedings that the Opposition is always reasonable to accept all those suggestions which are made by the Unionist Party if they are for the good of the people and if they are going to save money.

As the law at present stands, according to section 61 of the Civil Procedure Code, the buildings and the houses of an agriculturist are exempted from attachment in the execution of a decree and at the same time some grain is exempted. But there is one difficulty at the present time. Even when the grain is attached it is the court that is to decide whether it is necessary that some seed grain should be exempted or not.

**Lala Bhim Sen Sachar :** May I draw your attention to standing order 62 ? My honourable friend Pandit Muni Lal Kalia has an amendment of which he has given notice. Should not that be moved first ?

**Deputy Speaker :** This amendment was brought to my notice after the gentleman who is now speaking stood up, and I called upon him to speak. I will take up the amendment afterwards.

**Sardar Kapoor Singh :** I was saying it is the court that is to decide whether it is necessary that some seed grain should be exempted or not. In this way the agriculturist when he is a debtor has to prove that it is necessary for him that such and such a portion of the seed grain should be exempted. But there is a provision in the Civil Procedure Code that if the Government makes a notification that such and such a portion of the agriculturist's produce or a class of the produce shall be exempted in the execution of a decree when the judgment debtor is an agriculturist, in that case the agriculturist shall not have to take that trouble and shall not be required at the same time to prove that so much of seed grain is necessary. This is simply about the seed grain.

You will find, Sir, from the Civil Procedure Code that the salaries of Government officials are to some extent exempt for their maintenance, but in the case of the agriculturist though his house is exempted and his seed grain is exempted, there is no provision in the law that something should be left for his maintenance till the next harvest. It is for this reason that this resolution is extremely essential. You will find that when his property is attached and at the same time only some seed is left to him, nothing is left to him for his own maintenance and for the maintenance of his family. It is essential that something must be left for his own maintenance and for that of his family. So, I strongly press that this notification must be issued by the Government. You will find that in reality this is a move which would really benefit the *kisan* in a real sense. Some of my friends might be under the impression that it might benefit simply the agricultural tribes, but that is not the case because according to the definition of "agriculturist" everybody whether he belongs to an agricultural tribe or not, if he cultivates land or tills his land, he is an agriculturist according to the ruling which has been given by the High Court. So it is not a question of statutory agriculturists alone being benefited by this notification, but rather it is every *kisan*, every *kirti* that is going to be benefited if this notification is made by Government.

With these words I support the resolution and I hope that the Unionist Party would also strive to see that when a proposition is put by the Opposition it is not to be opposed simply because it is put by the Opposition.

**Deputy Speaker :** So far as the amendment is concerned, though it is not given notice of in proper time, I use my discretion and allow it.

**Pandit Muni Lal Kalia** (Ludhiana and Ferozepur, General, Rural) : Mr. Deputy Speaker, I am really very thankful to you for the discretion you have used in allowing this amendment to be moved before the House which I was in a position to submit only just now and I am really thankful to the House for the indulgence they have shown to me.

**The Honourable Chaudhri Sir Chhotu Ram :** On a point of order. So far as the limitation of time is concerned, you have exercised your discretion to allow the amendment. But this amendment is out of order on another ground. I hope that you will be pleased to give us an opportunity to

offer our objections to it. (*Honourable members*: Let us hear the amendment.)

**Pandit Muni Lal Kalia** : The amendment is as follows :—

The full stop after "forthwith" be deleted and the following words be added after "forthwith".

to the effect that such portion of the staple products of the actual cultivator as is found necessary by the collector of the district, be exempted from liability for the purposes mentioned in section 61 of the Civil Procedure Code.

Now section 61 of the Civil Procedure Code reads as follows :—

The Provincial Government, may, by general or special order published in the official Gazette, declare that such portion of agricultural produce, or of any class of agricultural produce, as may appear to the Provincial Government to be necessary for the purpose of providing until the next harvest for the due cultivation of the land and for the support of the judgment-debtor and his family, shall, in the case of all agriculturists or of any class of agriculturists, be exempted from liability to attachment or sale in execution of a decree.

Section 61 which I have just read has been in existence in the Civil Procedure Code for the last 25 years or more.

**Malik Barkat Ali** : On a point of order. This amendment is contrary to the provisions of section 61 of the Civil Procedure Code. You will be pleased to see that discretion is given to the Provincial Government and it is not open under section 61 of the Code that the Provincial Government should delegate its power to the collector. Therefore to the extent that my learned friend seeks to invest the collector of any district with discretion under section 61 of the Code, the amendment contravenes an enactment of the legislature and is, therefore, out of order.

**Pandit Muni Lal Kalia** : I want to say something on the point of order.

**Deputy Speaker** : The objection raised by the honourable member is perfectly sound and I rule the amendment out of order.

**Diwan Chaman Lal** : When an objection is raised to the moving of an amendment you have to permit those members who have an objection to the objection raised to have their say and permit them to put their point of view before you come to a rapid decision that the objection raised by Malik Barkat Ali is correct. All that I am urging now is that suddenly an objection is raised as to the validity of this amendment. That objection is based, as I think, on an incorrect reading of section 61 of the Civil Procedure Code and an incorrect reading of the powers of delegation possessed by the local Government. When that objection is raised my request is that other members who have something to say in regard to the validity of the amendment should be heard before you come to a final decision.

**Deputy Speaker** : So far as the objection is concerned, it is perfectly sound because the amendment goes against the provisions of section 57 of the Civil Procedure Code. If the honourable mover of the amendment had risen in time or if any other honourable member would have shown any inclination to say something on the matter I would have given him an opportunity to do so. But because to my mind it seemed that the objection was perfectly sound, I gave my ruling.

**Diwan Chaman Lal** : You have not given your ruling.

**Deputy Speaker :** I held that the objection was perfectly sound. Therefore the amendment is out of order.

**Pandit Muni Lal Kalia :** I got up immediately and said I would meet that point of order.

**Deputy Speaker :** On a point of order you have no right to speak. I can allow you, I can use my discretion and I can give you an opportunity to speak. But you cannot speak as of right. Therefore, so far as the present ruling is concerned, it has been given and all discussion is closed.

**Pandit Muni Lal Kalia :** It is the convention of the House that an opportunity is given to discuss. It is the convention of this House that people who participate in points of order are given time to discuss it. I want to say that this point of order is not a point of order at all.

**Deputy Speaker :** All discussion is closed.

**Sardar Partab Singh :** On a point of order. May I say that Mr. Muni Lal Kalia was speaking when the point of order was raised and naturally he had a chance to speak after him even without saying that he wished to speak?

**Deputy Speaker :** I do not agree with the honourable member.

**Khan Bahadur Chaudhri Riasat Ali** (Hafizabad, Muhammadan, Rural) : It is true that a notification of this kind is long over-due and much has been done in this connection by the old Legislative Council, in the way of legislation but so far as the recommendation in this resolution is concerned, nothing has been done so far.

The relevant sections are 5 and 10 of the Debtors Protection Act. So far as these are concerned, section 5 only applies after a property of an agriculturist is attached and the only improvement which has been effected by the Debtors Protection Act is that after certain land has been attached in execution of a decree, belonging to an agriculturist the execution proceedings should be transferred to the court of the collector, who will be deemed to act judicially and nothing more. Then, in section 10 of the Debtors Protection Act, there is a provision which claims that the collector in fixing the period of temporary alienation of land in execution of a decree—and these are the actual words—“shall fix that period with due regard to exemption of a certain portion of his land giving income, which would be sufficient for the maintenance of his family.” Section 5 suggests that a portion of the judgment-debtors' land shall be exempted from temporary alienation as in the opinion of the collector, having regard to the judgment-debtor, will be sufficient for the maintenance of the judgment-debtor and his family. This is clear that it applies to the proceedings after the land is attached and the proceedings are transferred to the court of the collector. The other relevant section is 10 which exempts the attachment of standing crops and trees. This is also a partial exemption. There is nothing in the legislation so far to say that grain or *ghalla*, as it is called, which goes to the house of a zamindar, wheat, rice, maize, jawar or any other agricultural produce, since it is collected either from the thrashing floor or cut from fields, will be exempted. There is no provision so far to stop the court from attaching that particular crop which might be the only source of income and subsistence to the family of

the debtor. It is, therefore, very necessary that this notification should be issued.

The other Act which is relevant is the Punjab Relief of Indebtedness Act and section 35 is the only section which helps an agriculturist in the matter of attachment or temporary alienation. Section 35 amends section 60 (1) (c) of the Civil Procedure Code only to the extent that the houses of agriculturists, which are not let out on rent or lent to others or left vacant for a period of a year or more will be exempted. So even the Punjab Relief of Indebtedness Act has no bearing on the subject. It is clear that debtors are not sufficiently protected which by debt legislation it is extremely essential to do.

**Lala Duni Chand :** May I know if you are for the resolution or against it? May I make an appeal through you Sir, and that it is this. As the point covered by this resolution does not appear to be disputable. I think further debate should be discontinued and the question may now be put.

**Khan Bahadur Chaudhri Riasat Ali :** I am within my rights to speak at least for 15 minutes in support or against the resolution. I hope you will kindly allow me at least that time.

**Lala Duni Chand :** I rise on a point of order Sir. If the honourable member is unable to tell us if he is speaking for or against the resolution, he should not be allowed to proceed with his speech.

**Deputy Speaker :** The honourable member has no right under any rule or standing order to put such questions to the honourable member who is speaking. (*Cheers from the Treasury benches.*)

**Khan Bahadur Chaudhri Riasat Ali :** Section 60 of the Civil Procedure Code gives a long list of those things which can be attached and also of these things which cannot be attached in execution of decree. My point is that when a long list of articles which are exempted in that section has been given, there is no reason why a definite share of agricultural produce which should be exempt should not be fixed by the rules to be framed under this section. There is another thing in my support and that is that on the following articles, even though they are not exempted under section 60, exemption is allowed as section 60 does not apply to these enactments and exemptions under the local Acts of provincial legislatures or rules made under certain provisions of law are allowed. For example, section 60 does not apply to the following enactments :—

- (1) The Madras Estate Land Act, section 192 (b).
- (2) The Agra Tenancy Act, Schedule II, section 60.
- (3) The Provincial Tenancy Act of the Central Provinces, section 44.
- (4) The Indian Marine Act, section 81.
- (5) The Ajmer Regulation, section 30.
- (6) The Oudh Land Act.

My point in quoting these enactments is that when, under section 60 of the Civil Procedure Code, which is an All-India piece of legislation, exemptions can be granted on account of the existence of certain acts, which I have mentioned, there is no reason why the Punjab Government should not, as soon as possible, take in hand the framing of those rules by which poor

[K. B. Ch. Riasat Ali.]

agriculturists, for whom everybody on the floor of this House is always clamouring, can be helped.

Now, Sir, there is only one point and I have finished. Section 60 (1), (a) and (b) relate to exemptions which can be claimed by the agriculturist and there is no provision in it that those articles, which cannot be attached or sold in execution of realisation of arrears of land revenue, will also not be attached under section 61. If you read together section 60 (1), (a), (b), (c) and section 70 of the Land Revenue Act, you will come to the conclusion that there are only 3 necessary provisions which exempt the kind of property mentioned therein. The first is the necessary wearing-apparel, cooking vessels and other needs of the judgment-debtor. Second, is the implements of husbandry and such cattle and seed grains, as may, in the opinion of the court, be necessary to enable him to earn his livelihood as such, and such portion of agricultural produce, and the third is the houses and other buildings belonging to an agriculturist. Now my point is that we should not, one way or the other, leave to the discretion of the court the decision in this respect. Let us make everything definite, so far as the fixing of that amount which must be exempted for the purpose of provision for the next harvest is concerned, and it must be chalked out in a definite shape. That was the policy underlying all debt legislations which have been placed on our Statute Book. We do not want to give the court this discretion. Let us provide in clear and definite rules what particular portion, according to the opinion of the local Government, is considered or thought to be sufficient for the purpose of exemption to make a man live and enable him to live till the time of the next harvest.

The third category is that so much of the produce of land that is necessary for seed grain and the subsistence until harvest next following of the judgment-debtor and his family and cattle must also be exempted. In this connection there is only a difference of the court. In the first instance it was a court of a civil judge and in this particular case it is the court of a collector. Now the same argument applies in this case, i.e., if we do not want to leave this matter to the discretion of a civil judge, there is no reason why we should leave it to the discretion of a revenue officer in the shape of a collector. Under these circumstances I would submit that I have made a sufficient case in support of the resolution that it is the bounden duty of the local Government to frame rules under section 61 of the Civil Procedure Code. With these words I support the resolution.

**Sardar Sohan Singh Josh** (Amritsar North, Sikh, Rural) (*Punjabi*): Sir, I rise to support the resolution under discussion. I am glad to find that my honourable friend Chaudhri Faqir Chand and other members of the Unionist Party claim to be sympathetic towards the poor zamindars. And by moving this resolution they have given some little proof of the fact that they also grieve at heart for the sufferings of the zamindars. The acceptance of this resolution by the Government may be likened to the proverbial camel, heavily laden with goods. The load was so heavy that it became intolerable for the poor animal. Its owner at last took pity upon it and reduced the load by removing one sieve from its back. This made no difference to the camel at all whose condition was pitiable in the

extreme. The camel driver was under the impression that he had done sufficient for the camel, whereas the latter's lot was a hard one and it did not feel at all that any reduction had been effected in its heavy load. The Unionist Party might be thinking that they have done a lot for the poor zamindars by accepting this resolution. But I want to bring home to them the fact that they have not lightened the heavy burden of the zamindars by one "sieve" even. Anyhow something is better than nothing. I am afraid that the Unionist Party will never do anything substantial for the amelioration of the condition of the poor zamindars. They are only whiling away the time. They ought not to forget their first and foremost duty which is the welfare of the zamindars. Their pitiable condition cannot be improved by reducing their heavy load by one "sieve."

Many a time it has been pointed out to the Government that the water-rate should be charged to the extent of the actual expenditure incurred by the Government. But it is a pity that the Government has always turned a deaf ear to this request. If the Government cannot accede to our demand it should at least reduce the water rate by 50 per cent. So far as the acceptance of the first resolution is concerned it seems to me that the intention of the Government is to allow this matter to fall into abeyance.

**Deputy Speaker :** The honourable member will please speak to the motion.

**Sardar Sohan Singh Josh :** I am speaking to the motion. I was saying that these things clearly show that the burden of the poor zamindars has not been lightened at all and any measure that may be taken for the amelioration of the condition of the zamindars are unnecessarily delayed. Some time ago the Land Revenue Committee was appointed to enquire into this matter but no report has been issued so far, although a lot of money was spent on it. Again, the Retrenchment Committee was formed some months ago but up till now nothing has been done by it. We are anxiously waiting for its report.

**Deputy Speaker :** The honourable member is not relevant.

**Sardar Sohan Singh Josh :** This shows that the Punjab Government does not want to improve the lot of the people. It appears from its dilatory tactics that the intention of the Government is merely to mark time. The resolution under discussion proposes that the Punjab Government should issue a notification under section 61 of the Civil Procedure Code to the effect that such portion of agricultural produce as it may appear to the Government necessary shall in case of all agriculturists be exempted from liability to attachment or sale in execution of a decree. It is true that this resolution, if accepted, would not do much towards the amelioration of the condition of the agriculturists but any way the agricultural produce, meant for the maintenance of the judgment-debtor and his family, would in the future be saved from attachment. It has been observed that very often the goods attached in the execution of a decree are never returned to the judgment-debtor. The only reason for this is that the judgment-debtor is almost in all cases a penniless person and cannot afford to bear the expenses of the law-courts. The present Government is in fact strengthening the hands of the money lending classes. We would appreciate the efforts of the Unionist Government if they do things with better grace.

[S. Sohan Singh Josh.]

I am sure that my honourable friends are not unaware of the enormous burden of debt that is weighing heavily on the agriculturist classes. In 1922 Mr. Darling made enquiries into the matter and calculated that the debt of the Punjab agriculturists was in the neighbourhood of 85 crores. Mr. Darling's estimate may be relied upon without any hesitation as he is well aware of the condition of the poor zamindars. Later on in 1929 the Provincial Banking Enquiry Committee was appointed which reported that during the period of seven years, i.e., between 1922-29 the debt of agriculturists had increased from 85 to 135 crores. In 1934 a committee appointed for the purpose submitted a report to the effect that the debt in question had risen to Rs. 200 crores. Now in 1938, according to the facts and figures collected by Professor Brij Narain, this debt has increased to the extent of no less than Rs. 280 crores. It is a great pity that the Unionist Government has not lightened the heavy burden of the poor peasants even by a single "sieve."

To-day my party has allowed me to speak on behalf of the Congress party and so I represent the feelings of the Congress when I say that the Congress has made the *banias* lions while the Unionist party has made Sir Chhotu Ram and his party jats *banias*.

**Deputy Speaker:** The honourable member must confine himself to the motion before the House.

**Sardar Sohan Singh Josh:** I am speaking to the motion. The Unionist Government does not want to do any substantial work for the poor zamindars. If two or three Acts were passed some years back for lightening the burden of the peasants they have now become dead letters. It is a matter of regret that they were never brought into operation.

Besides, my humble submission is that whereas there is no objection to the Unionist Government proceeding with these measures of minor importance they should also take note of the fact that Congress wants them to undertake measures of far more significance and value to the peasants. They should take upon themselves the responsibility of the heavy debts of the agriculturists and after giving two or three annas in the rupee pay the reduced amounts to the creditors and recover them from the debtors in easy instalments as the other progressive countries have done.

**Deputy Speaker:** The question is of issuing a notification under section 61 of the Civil Procedure Code.

**Sardar Sohan Singh Josh:** After paying these debts to the creditors the government can collect the same from the peasants along with the revenue after spreading it out over fifteen or twenty years. I assure the Government that we, on this side of the House will fully co-operate with them in carrying out such a legislation even as we supported them in passing the resolution relating to levying a cess on Muslim zamindars.

But I am sorry to remark that we cannot entertain any high hopes in this connection when the government has disappointed us even in matters of minor importance like removing the evil practice of levying *malba tax* on the zamindars. We fail to understand under what law or rules this has been imposed upon the poverty-stricken people of this province.

**Deputy Speaker :** The honourable member's time is over.

**Lala Bhim Sen Sachar :** The question be now put.

**Deputy Speaker :** The question is—

*That the question be now put.*

*The motion was lost.*

**Chaudhri Tika Ram** (Rohtak North, General, Rural) : Mr. Deputy Speaker, the resolution which has been moved by my learned friend Chaudhri Faqir Chand is a very important one. The Code of Civil Procedure was passed as far back as the year 1908 in the present form and under section 61 powers were specifically given to local governments to declare by a notification that certain portion of the agricultural produce be exempted from attachment and sale, but no notification has so far been issued by the local government and a great hardship has been thus caused to the agriculturists on this account. The resolution asks that a notification is very urgently required. I acknowledge with thanks the sentiments expressed by certain honourable members on the other side of the House that they also are in favour of a notification being issued by the local government. My honourable friend Sardar Sohan Singh Josh has attacked the policy of the Unionist Government and I am surprised to find that where the Unionist Government deserves praise, he has not given it even its due share of that praise. The debt legislation for which the Unionist Party is responsible, stands as a monument of legislation which has not been so far passed by any of the other provincial Governments in India (*A voice : Question*). No province has so far passed that legislation in such a form.

**Sardar Sampuran Singh :** Are you sure ?

**Chaudhri Tika Ram :** My honourable friend Sardar Sohan Singh Josh challenges the policy of the Government.

**Lala Bhim Sen Sachar :** Is that the point at issue ?

**Deputy Speaker :** The honourable member is not relevant. (*Cheers.*)

**Chaudhri Tika Ram :** The Unionist Party has been responsible for three pieces of legislation so far as the debt question is concerned. The first legislation referred to by my learned friend Sardar Sohan Singh Josh is not a dead letter.

**Deputy Speaker :** That is not the question before the House.

**Chaudhri Tika Ram :** Certainly Sir. He said that that was not sufficient or that was a dead letter.

**Deputy Speaker :** The honourable member is not relevant.

**Chaudhri Tika Ram :** I would confine my attention only to what is required under section 61 and which has not been done so far by the local Government. Section 61 of Civil Procedure Code empowers local governments to exempt a certain portion of the agricultural produce of agriculturists from attachment so that there should be enough provision for the agriculturist till the next harvest.

**Lala Bhagat Ram Choda** (Urdu): A point of order, Sir. The honourable member in possession of the House is repeating the same argument which has already been put forward.

**Chaudhri Tika Ram**: I am not repeating. I am saying that it lays down two things. One of them is that certain portion of the agricultural produce should be exempt on account of provision being made for the next harvest for the due cultivation of the land by an agriculturist. Secondly, it makes provision for the support of the agriculturist, his wife, his children and other dependants on him. This is a very important requirement. But for it, the poor zamindar would have been put to a lot of trouble. With your permission I would relate the hard conditions on account of which the poor agriculturist has been suffering in the south-eastern districts of the Punjab. Three or four years back when the debt legislation was introduced in the Punjab Council—I think it was about that very time—a certain decree-holder belonging to a Mahajan class of Sonapat tahsil applied for execution of his decree against a poor zamindar and for purposes of execution of the decree he took a bailiff and other people with him rather very early in the morning. When the bailiff and the other people who were his relations and who were to appear as witnesses, visited the house of that agriculturist, his wife was at that time grinding corn. What did that party do? They took possession of all the grain that was lying in the house. Not only that. A portion of the grain that was placed in the basket before her out of which she was pouring in the 'chakki' that also was taken hold of by the decree-holder. Not only that but the flour in the 'chakki' was also taken. You will see that the poor agriculturist had a wife and 3 or 4 children who were all very young and those people had to go without food all day; nobody was going to lend them anything. You will see that that is a fit case where provision should be made by the local government for the protection of these people. The exemptions which have been made are not sufficient for the poor agriculturists. Certain crops have been exempted. What happens in that part of the province is that the bania or the decree-holder as a matter of fact arranges to take benefit of the time when the harvest is ready. He goes to the thrashing floor and gets attached all the grain that has been thrashed out on the thrashing floor. It so happens that when the zamindar goes home he cannot take even a little portion of the produce for which he and his family had been labouring throughout the whole of the year. In order to meet these hard cases it is absolutely necessary in the interest of justice, and for the protection of the poor agriculturists that a notification under section 61 should be issued. I will now draw your attention to the fact that the amount of debt under which the agriculturists in the Punjab are suffering, according to the figures given by my learned friend Sardar Sohan Singh Josh, is two hundred crores of rupees. Just imagine the amount which the zamindars owe, and a large majority of the people of this province are zamindars: they live on agriculture and other occupations subsidiary or auxiliary to agriculture. Now these people are very poor and the money lenders are like, if I may say so, shylocks. They have no humanity in them. They arrange things in a way that all the produce of the zamindars is generally attached by them. I therefore most emphatically support the resolution moved by my friend Chaudhri Faqir Chand. (Voices: Question be now put.)

**Lala Bhim Sen Sachar :** Sir, may I just make a request to the Treasury benches? The reason why we want closure is that we are all agreed so far as this particular resolution is concerned and we are anxious to go to the next resolution which is very important, and if merely by the strength of their majority they do not want us to do it we will go back with the impression that they do not want popular control to be introduced in municipalities and district boards. It is just for this reason that I request the Government benches to agree to this question.

**Deputy Speaker :** I can only take the sense of the House. The question is—

That the question be now put.

*The motion was lost.*

*(Rai Bahadur Mr. Mukand Lal Puri was called on to speak.)*

**Sardar Sampuran Singh :** On a point of order. Is all time to be given to members on the other side?

**Deputy Speaker :** Next time I will call on an honourable member on this side to speak.

**Rai Bahadur Mr. Mukand Lal Puri** (Rawalpindi Division, General, Rural) : Sir, we are all agreed that such a notification should be issued because in this case we will be helping the poorest of the poor. Since on this matter there appears to be no difference of opinion I for one do not see any justification for an extended debate (*hear, hear*) (*Lala Duni Chand : It is obstruction not debate*).

Section 60 lays down that certain kind of property is exempted from attachment in execution of a decree, and it is permissible under section 61 for the Government to exempt certain kind of crops which may be necessary for the upkeep of the cultivator or for rearing the crops. It will be affording real relief to the cultivator if government issues such a notification. I do not know whether the notification could possibly be of any real effect because as a matter of fact a part of the movable property of the debtor is not available to the creditor as it is so cleverly concealed. But if any help can be given by the notification I for one would certainly welcome it.

**Lala Bhim Sen Sachar :** May I be permitted to inquire if, when there is no opposition to a motion in the House, a debate on that motion can go on?

**Deputy Speaker :** There is no prohibition.

**Sardar Sampuran Singh** (Lyallpur West, Sikh, Rural) : The matter under discussion is one which lies in the power of Government and I am rather astonished why this resolution should have been moved at all by a member on the Government side, because it does lie in their power. Are they joking with us? What did they mean by putting this resolution before the House for a discussion? It is in their power without their moving any resolution on this point and as a matter of course if they felt its necessity and they were sure that the zamindar wanted relief, they should have made such rules under section 61 on their own initiative. Are they not convinced that the zamindars want that relief? Were they not sure of the necessity of putting this resolution before this House? If they

[S. Sampuran Singh.]

were not sure, they show their callous ignorance. With these few remarks I support this resolution whole-heartedly.

**Rai Bahadur Mr. Mukand Lal Puri :** On a point of personal explanation I might mention that this should be exempted not only from the execution of a decree but also from attachment and sale in the execution of land revenue.

**Khan Bahadur Nawab Chaudhri Fazl Ali** (Gujrat East, Muhammadan, Rural) (*Urdu*) : Sir, I have risen to support the resolution moved by my honourable friend Chaudhri Faqir Chand. I may submit at the very outset that it is not difficult to understand the object underlying it. In fact the object is quite obvious that is, this House should recommend to the Government that a notification under section 61 of the Civil Procedure Code be issued forthwith. The section runs as follows :—

The Provincial Government, may, by general or special order published in the Official Gazette, declare that such portion of agricultural produce, or of any class of agricultural produce, as may appear to the provincial Government to be necessary for the purpose of providing until the next harvest for the due cultivation of the land and for the support of the judgment-debtor and his family, shall, in the case of all agriculturists or of any class of agriculturists, be exempted from liability to attachment or sale in execution of a decree.

It would be now clear that the resolution under consideration has this laudable end in view. It is our earnest desire that the poor tillers of the soil who literally live upon the produce of their lands should be left with so much corn as may suffice for the needs of the judgment-debtor and his family till the next harvest. In other words we mean to say that such portion of his agricultural produce as may be essential for the bare necessities of the judgment-debtor and his family should not be liable to attachment or sale in execution of a decree.

In fact the House is making simply this request to the Government that the poor zamindar should be saved from ruin. He tills his lands in the hottest of months and exposes himself to the bitter cold winds of the winter nights in order to produce something for himself, his family and the outside world. It is only fair that when a sahukar obtains a decree against him such portion of his produce as is absolutely essential for his own and his family's maintenance should be exempted from attachment or sale in execution of the decree. I submit that at present the House is recommending to the Government that they should issue instructions to that effect and thereby save the zamindar and his children from utter starvation and hunger. I want to make it quite clear that our only object is that a portion of his produce should be left safe to enable him to keep his body and soul together. Some of my friends perhaps feel that we are making a request to the government to render some help to the zamindars. That is not the case and in fact this request cannot in any way be construed to be a request for help. Year in and year out he toils and labours. He has a right to keep a portion of his produce to maintain himself and his family. As a matter of fact he should have something to sow the next crop and something to live upon. If others profit by his toils and labours, why should they grudge him even bare existence? I submit that he should also be permitted to exist and that also on a portion of his own produce only.

**Lala Deshbandhu Gupta :** The honourable member is repeating what has already been said.

**Deputy Speaker :** There is no repetition in his arguments. He is developing his argument.

**Lala Deshbandhu Gupta :** What I mean is that he is saying what has already been said by other members of the House.

**Deputy Speaker :** He is giving his argument in a different manner.

**Khan Bahadur Nawab Chaudhri Fazl Ali :** Sir, we have often seen the Opposition advocating the cause of zamindars. But now I am surprised to see that my friends over there are not prepared to tolerate even lip sympathy with the zamindars. Granted that our sympathy with the zamindars is unreal. But the principle underlying this resolution aims at letting the zamindars and his family exist for sowing the next crop and enabling him to pay off debts to the bania.

Further Sir, many irrelevant arguments have been advanced by my friends over there and I could not understand any of them at all. I think the speaker was unable to understand even himself as to what he was speaking. I do not deem it my duty to reply to them and I would strictly confine my remarks to the resolution under consideration. But before I proceed further I would like to relate a story. A certain woman fell ill. There was something wrong with her brain. Her sons attempted to take her to a hospital. As soon as she realised that she was being taken to a hospital she cried out "thieves, thieves." Her sons replied, "Mother let us be the thieves we pray may God cure you". Similarly let us, the members of the Unionist party be thieves but we pray God may cure the agriculturists. If the members opposite come forward and join hands with us in promoting the cause of the poor zamindar well and good.

**Pandit Bhagat Ram Sharma :** Is the honourable member speaking to the motion ?

**Deputy Speaker :** The honourable member should speak to the motion.

**Khan Bahadur Nawab Chaudhri Fazl Ali :** I was stating that if the Opposition is prepared to join hands with us and support this resolution it will be well and good. To-day, of course, I am glad to find that they have made some favourable gestures for which I am grateful to them.

In the end I once more thank the honourable members opposite for the support they have given to this resolution and pray God to enable the Opposition to support us in the good work we have undertaken.

**An honourable Member :** The question may now be put.

**Deputy Speaker :** The question is :—

That the question be now put.

*After the bell stopped ringing the Deputy Speaker (in the Chair) put the motion to the House and a division was challenged by the Opposition and the Deputy Speaker declared "Ayes to the right and noes to the left". Thereon the Opposition said that they did not want a division.*

**Deputy Speaker :** When once a division is called, it has to be taken.  
*The Assembly divided : Ayes 1, Noes 78.*

AYES.

Tara Singh, Sardar.

NOES.

Abdul Hamid Khan, Sufi.  
 Abdul Haye, The Honourable Mian.  
 Abdul Rahim, Chaudhri (Gurgaon).  
 Afzaal Ali Hasnie, Sayed.  
 Ahmad Yar Khan Daulatana, Khan Bahadur Mian.  
 Ahmad Yar Khan, Chaudhri.  
 Ali Akbar, Chaudhri.  
 Amjad Ali Shah, Sayed.  
 Ashiq Hussain, Captain.  
 Badr-Mohy-ud-Din, Qadri, Mian.  
 Balwant Singh, Sardar.  
 Chhotu Ram, The Honourable Chaudhri Sir.  
 Faiz Muhammad, Shaikh.  
 Faqir Chand, Chaudhri.  
 Faqir Husain Khan, Chaudhri.  
 Farman Ali Khan, Subedar-Major.  
 Fateh Khan, Raja.  
 Fateh Muhammad, Mian.  
 Fateh Sher Khan, Malik.  
 Fazl Ali, Khan Bahadur Nawab Chaudhri.  
 Fazal Din, Khan Sahib Chaudhri.  
 Fazal Karim Bakhsh, Mian.  
 Ghazanfar Ali Khan, Raja.  
 Ghulam Mohy-ud-Din, Maulvi.  
 Ghulam Rasul, Chaudhri.  
 Ghulam Samad, Khawaja.  
 Gopal Singh (American), Sardar.  
 Gurbachan Singh, Sardar Sahib Sardar.  
 Habib Ullah Khan, Malik.  
 Hans Raj, Bhagat.  
 Hari Chand, Rai.  
 Harnam Das, Lala.  
 Het Ram, Rai Sahib Chaudhri.  
 Indar Singh, Sardar.  
 Jagjit Singh, Man, Sardar.  
 Jahan Ara Shah Nawaz, Mrs.  
 Jahangir Khan, Chaudhri.  
 Jalal-ud-Din Amber, Chaudhri.  
 Jugal Kishore, Chaudhri.

Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major.  
 Kishan Das, Seth.  
 Maqbool Mahmood, Mir.  
 Muhammad Akram Khan, Khan Bahadur Raja.  
 Muhammad Ashraf, Chaudhri.  
 Muhammad Faiyaz Ali Khan, Nawabzada.  
 Muhammad Hassan Khan Gurchani, Khan Bahadur Sardar.  
 Muhammad Hayat Khan Noon, Nawab Malik Sir.  
 Muhammad Nawaz Khan, Major Sardar.  
 Muhammad Saadat Ali Khan, Khan Sahib Khan.  
 Muhammad Sarfraz Khan, Chaudhri.  
 Muhammad Shafi Ali Khan, Khan Sahib Chaudhri.  
 Muhammad Yusaf Khan, Khan.  
 Mushtaq Ahmad Gurmani, Khan Bahadur Mian.  
 Muzaffar Ali Khan, Qizilbash, Sardar.  
 Muzaffar Khan, Khan Bahdadur Nawab.  
 Narendra Nath, Diwan Bahadur Raja.  
 Nasir-ud-Din Shah, Pir.  
 Nasrullah Khan, Rana.  
 Naunihal Singh Mann, Lieutenant Sardar.  
 Nawazish Ali Shah, Sayed.  
 Nurullah, Mian.  
 Pir Muhammad, Khan Sahib Chaudhri.  
 Prem Singh, Chaudhri.  
 Ram Sarup, Chaudhri.  
 Ranpat, Chaudhri.  
 Riasat Ali, Khan Bahadur Chaudhri.

Ripudaman Singh, Thakur.  
 Roberts, Professor W.  
 Shahadat Khan, Khan Sahib Rai.  
 Shah Nawaz Khan, Nawab Khan.  
 Sham Lal, Rai Bahadir Chaudhri.  
 Sikander Hyat-Khan, The Honourable Major Sir.

Singha, Mr. S. P.  
 Sumer Singh, Chaudhri.  
 Sundar Singh Majithia, The Honourable Dr. Sir.  
 Suraj Mal, Chaudhri.  
 Tikka Ram, Chaudhri.  
 Ujjal Singh, Sardar Sahib Sardar.

*At this stage Mr. Speaker resumed the Chair.*

**Dr. Gopi Chand Bhargava :** I invite your attention to the fact that we on this side of the House are in favour of this resolution.

**Mr. Speaker :** If the honourable member wishes to raise a point of order, or make a personal explanation or speak on the motion before the House, he is welcome to do so, but if he proposes to say something else, I cannot allow him to speak.

**Dr. Gopi Chand Bhargava :** I want to make a suggestion to you about the discussion of this resolution. Can I do so ?

**Mr. Speaker :** I shall be obliged if the honourable member will quote the rule under which I can allow him to speak.

**Diwan Chaman Lal :** That is a point of order, Sir. Standing Order 35 provides :—

At any time after a motion has been made any member may move " That the question be now put," and unless it appears to the Speaker that the motion is an abuse of the rules or these standing orders, or an infringement of the right of reasonable debate, the Speaker shall then put the motion " That the question be now put."

Now this is a very important matter, so far as the minority in this House is concerned. The minority on this particular resolution are entirely in accord with the Government in supporting it.

**Mr. Speaker :** With the Government ?

**Diwan Chaman Lal :** With the mover of this resolution, who is a member of the Unionist Party which forms the Government of the day. So far, I can say that all the time not a single word has been uttered by any member of the Government or any member of the Unionist Party or by any member of the Opposition, in opposition to this particular resolution. I have not heard it yet.

**Premier :** No Government member has spoken yet.

**Diwan Chaman Lal :** Because no Government member has considered it necessary to oppose it. I do submit Mr. Speaker, that you, as the guardian of the privileges of the minority, ought to take some steps to convince the other side of the House that the time of this House and public money should not be wasted in unnecessary discussions on motions to which all are agreed. There is no disagreement to the motion. It appears to us that this is being done by the majority in order to stifle discussion on subsequent resolutions which have been tabled and which are on the order paper for the day and that is the object. I now ask you, Mr. Speaker, to suggest ways and means—because we are at a loss—whereby you can protect the interests and privileges of the minority and the Opposition in this House.

**Premier :** I am delighted that it has after all dawned on my honourable friends opposite, that time has some value. Unfortunately, I was not present in the House during the first 4 or 5 days, but from the proceedings I gather that nearly four-fifths of the time was taken up by the Opposition during the first 4 days at the expense of important public business and I am surprised that my honourable friends —

**Diwan Chaman Lall :** That is untrue. That is untrue.

**Mr. Speaker :** Order, order. Gentlemen, you are members of Parliament. Please do not behave in unparliamentary manner. I request you all not to be personal. Impersonality is the first principal of parliamentary debate.

**Diwan Chaman Lall :** On a point of personal explanation, Sir. A charge has been made against us regarding obstructionist tactics of wasting the time of the House. The Honourable Leader of the House would realise that when supplementary grants were moved on the floor of this House, covering several lakhs, we on this side of the House completed the discussion in one day, which, I think, should not have been completed in one day, and yet a charge of wasting the time of the House is made against us—the Opposition.

**Mr. Speaker :** I again request honourable members not to be personal.

**Premier :** I also request you to permit me to point out that as the Leader of the House it is my privilege not to be interrupted when I speak, and I do not interrupt honourable members opposite when they speak. There is such a convention in Parliament. If the honourable members opposite are not prepared to extend the same courtesy to me they will only be—

**Diwan Chaman Lall :** We are willing to be interrupted and we will interrupt, if necessary.

**Premier :** I merely pointed out a parliamentary convention. I am not surprised at the attitude of my honourable friend opposite who would no doubt flout all parliamentary conventions when it suits him.

Sir, I was saying that during the first 4 or 5 days, had not the Honourable Leader of the Opposition come to the rescue of the House, perhaps at your suggestion, I fear, we might have been still discussing adjournment motions, which, judging from the list of business, do not appear to me to be of such vital importance as to justify waste of the time of the House and public money. However, that is beside the point. The point at issue at the moment is the charge that we are trying to obstruct business. Only four speakers, I understand, have spoken from this side of the House and, three from the Opposition. This is a private member's motion and not a Government motion. Government

6 P. M. is entitled to hear the views of all sides of the House before making up its mind. I dare say there are several members who do not realise the difficulties, the inherent difficulties that are involved. Had we put up speakers after one of the Government members had spoken, my honourable friends opposite would have had some justification for moving the closure, but not a single member of the Government has so far had an opportunity

of explaining the position of the Government. My learned friends opposite have conceded that the House will not be able to make up its mind until a Government member has spoken. It is only right that all sections of the House should be given the fullest possible opportunity to express their views to enable the Government to formulate its conclusions in the matter. If Government finds that the difficulties which are inherent in this resolution can be overcome, it will be only too glad to meet the wishes of the honourable mover of the resolution. Therefore the charge that the Government is responsible for prolonging the discussion of the motion now before the House is ill-founded and wholly and grossly unjust.

**Mr. Speaker :** I regret that I was not here when this unfortunate incident happened. I would request honourable members to forget it. I am sorry that heat has taken place. I would request all to drop the matter.

**Dr. Gopi Chand Bhargava :** Sir, I myself was not here during a greater part of the time. I do not know whether there has been any heat. But, our point is quite different. We submit that we are not opposed to this resolution nor has it been opposed by any member from the other side. Moreover, this resolution was before the Government for so many days. Government, therefore, can very well say that they accept this resolution or they do not accept it and such and such are the reasons for not accepting it. As nobody is opposed to it, I think the resolution needs no further discussion. Therefore, we submit that the matter be closed and the Government members be asked to speak and then we may proceed on to the next resolution.

**Mr. Speaker :** The point is clear. The minority wanted the motion to be put to the vote of the House. According to parliamentary practice debate on a motion ends when no one rises to speak or when a closure motion is moved and carried. Now in this case the closure motion has failed and perhaps on this side of the House some gentlemen are still anxious to speak. So the discussion has to be carried on, unless some way out of the difficulty is suggested.

**Diwan Chaman Lall :** This is just the difficulty which arose originally. I have not been able to find anything in this connection in the rules that govern our procedure. I would request that a certain number should be fixed for the closure to be successful. In the House of Commons the number fixed for a closure to be complete is 100 in the majority—one hundred out of 667—but there is no such rule as far as we are concerned. We are simply following a convention, viz., the majority rules over the minority. If we fix a certain number for the purpose of carrying a closure as is done in the House of Commons, that would protect the minority against the majority. There are as you have already pointed out, Mr. Speaker, only two ways to end a debate ; one that no member should rise and the second that closure is carried. Carrying of the closure being in the hands of the majority here, they are bent upon having an unnecessary debate.

**Khan Bahadur Mian Mushtaq Ahmad Gurmani :** Does the Opposition party take this as a bitter pill and want to swallow it quickly ? Why do they not let us discuss all the details of this important measure ?

**Khan Muhammad Yusuf Khan** (Rawalpindi Sadar, Muhammadan, Rural) : I rise to support this resolution. This resolution is a very simple one, but at the same time a very important one. Sir, previous Government has been guilty of gross negligence for issuing no notifications under section 61 of the Civil Procedure Code. I am very glad that a member of the Unionist Party, the Party that is keenly interested in the welfare of the zamindar community, has risen to the occasion and put forth this resolution before the House. The benefits that the agriculturists will derive from such a resolution are very many and need not require any lengthy explanations. It will be most cruel that an agriculturist who toils throughout the year is deprived of his fruits of labour at the time when he is to harvest his crops. This is one of the main causes why the peasantry of our province is under appalling poverty. It is because they want produce of their land not only for their own maintenance but for seeding purposes in the coming harvest. It is usually seen that when the money-lenders—these callous-minded money-lenders—deprive him of this produce, he has willy-nilly to borrow from the same money-lender for purposes of cultivating his land. I am reminded at this stage of a very good verse of Dr. Sir Muhammad Iqbal the famous poet who says—

جس کویت سے دھقان کو میسر نہیں روزی  
اُس کویت کے ہر خوشہ گندم کو جلا دو

I think that the agriculturist, due to his ignorance, has been, since centuries, exploited by the astute money-lender of this province and due to his ignorance he has been no match to his shrewdness. As the Unionist Party passes some measure—a measure that would afford relief to him—the money-lender at once pounces upon some loophole in that measure and tries to victimise the poor peasant because of his ignorance. I know that there are two Acts, Debtors' Protection Act and the Relief of Indebtedness Act. In the face of those measures I still find that the poor peasants have not got the relief which they ought to have. But it is not due to the fault of the present Government or due to the fault of the Unionist Party who are always on the look out to find out ways and means by which they can ameliorate the lot of the zamindars and help them in their poverty. It is, Sir, mostly due to ignorance that he has been exploited by the money-lenders. I think that this motion, that has been brought by the members of this party, will be looked upon by the peasants of this province with great gratitude and thankfulness because it means real livelihood to those peasants. With these words I beg to resume my seat.

**Dr. Gopi Chand Bhargava :** Question be now put.

**Premier** (The Honourable Major Sir Sikander Hyat-Khan) : Sir, as I have only recently had occasion to point out, there are certain inherent difficulties with regard to which Government would have liked to have the views of the honourable members of this House.

(At this stage members of the Opposition walked out of the Assembly Chamber.)

Unfortunately the speeches which have been made today have more or less been of a general character. They discussed the general aspects of the question, but none of them have gone into details and the difficulties I have referred to. Therefore, these speeches have not been of much assistance to my honourable colleague on my left or to me in coming to a decision with regard to this resolution. However, with your permission, I should like to point out one or two of the main difficulties with which we are faced and to grasp the full significance of those difficulties I would, with your permission, read out the relevant section of the Civil Procedure Code under which it is proposed that a notification should be issued by the Government. Section 61 of the Civil Procedure Code runs as follows :—

61. The Local Government may, by general or special order published in the local official Gazette, declare that such portion of agricultural produce, or of any class of agricultural produce, as may appear to the Local Government to be necessary for the purpose of providing until the next harvest for the due cultivation of the land and for the support of the judgment-debtor and his family, shall, in the case of all agriculturists or of any class of agriculturists, be exempted from liability to attachment or sale in execution of a decree.

My first difficulty is with regard to the words "That such portion of agricultural produce". I should have been glad to hear some of my legal friends here to make it clear whether "such portion of agricultural produce" means a fixed portion or whether that portion could be varied in different cases or whether the latitude could be given to the court within a certain fixed scale say from one-fourth and nine-tenths of the produce. That is the first difficulty with which we are faced, and we naturally wish to have the best legal advice on this point before we issue a notification. We should like to be quite clear whether the Government would be within its jurisdiction and power to issue a notification which would give a certain amount of latitude to the court or whether it is necessary, under the Act, for the Government to fix a rigid proportion irrespective of the circumstances of the agriculturists.

The second difficulty is that section 61 uses the following words :—

"or of any class of agricultural produce"

Now it is a question for us to decide as to which class of agricultural produce should be notified under this section. We should have valued some indication from my honourable colleagues here with regard to that rather important matter. Unfortunately no indication has been given by any member with regard to that particular matter and, therefore, there also the Government will have to use its own discretion to come to a decision. (A voice : It is very vague.) Yes, it is very vague and indefinite. It is a very difficult and technical legal point, and I confess my own limitations so far as law is concerned. Therefore I think we will have to consult our legal advisors before we come to any definite conclusions. Then there is another difficulty which appears to a layman to be somewhat insurmountable and that is about the words "support of the judgment-debtor and his family" Now the question is whether any rigid proportion would achieve the object which the mover of the resolution has in view. We are aware that the size of families differs. There may be a family of a husband, wife and one child. There may be a family of a husband, wife and five children or there may be a family with ten children. There are so many difficulties inherent that

[Premier.]

we have to consider them very carefully before we actually draft the notification. If we have to achieve the object which my honourable friend has in view then we will have to see that no loophole is left, nor injustice done to the creditor, but at the same time no injustice is done to the poorer agriculturists as compared with his richer conferers. All these cases would need careful consideration. So far as Government is concerned let me assure the honourable mover of this resolution that the matter has been under consideration for a considerable time. We have been up against all these difficulties and we have been trying to surmount them, but I must confess that we have not been able to come to any final decision as yet. I can assure my honourable friend that Government will try to expedite decision in this matter. I might also for the information of this House say that Government is in the fullest sympathy with the spirit underlying this resolution. If, as I have said, these difficulties which are inherent in the matter are not overcome by means of notification, the Government would be quite prepared to go even further and if necessary bring in legislation (*hear, hear*) in order to achieve the object of the honourable mover's resolution. It is quite possible that we might be able to get over these difficulties and get this matter settled by a mere notification. But as I have pointed out there are other difficulties, and if these difficulties from a purely technical point of view are insurmountable in that case it would be the duty of Government to see that these difficulties are surmounted, if need be, by bringing in legislation. I hope, Sir, that in view of this assurance which I am giving to my honourable friend the mover of this resolution, it would not be necessary for him to press his motion, but if he wants to put it to vote, Government will accept it. I should like once more to make it quite clear that while Government is in the fullest sympathy with the object of the resolution, the difficulties, which I have pointed out, are there and we have to devise means to get over them. If we cannot, then we will have to bring forward legislation. That would require time because a comprehensive and watertight enactment has to be drafted and brought before this House, but I will do my very best to see that we come to a final decision on this matter before the budget session and if need be it may be possible even to introduce legislation during the next budget session.

**Mian Abdul Aziz :** I do not think it will be necessary.

**Premier :** I wish my honourable friend's words prove to be correct. However, we have to be careful. As I have pointed out one of the difficulties which seems to me to be very important from the point of view of the zamindar, is whether we can give the courts that latitude. Personally I should like to give them the latitude if we could so that they might just fix within that scale any proportion according to the circumstances of the case. But the question is whether we can give that latitude in which they can vary the proportion from person to person and from family to family. On the other hand my honourable friend opposite will agree with me that there are big zamindars who own 5,000 acres of land, and if you want to give them any exemption it will have to be quite different.

**Malik Barkat Ali :** Section 61 will not apply to big agriculturists (*Premier :* Why ?) because an agriculturist has been held to be a person

who actually tills with his own hands while no big agriculturist tills with his own hands.

**Premier :** I can only tell my honourable friend that it is not so. There are several big agriculturists who own large areas, still a portion of their land is tilled by other people. That is a common practice in the Punjab.

(*Malik Barkat Ali stood up.*)

**Mr. Speaker :** I cannot allow discussion on the interpretation of the section.

**Malik Barkat Ali :** I wanted to bring to the notice of the Leader of the House that the courts have decided that the word 'agriculturiest' as used in sections 60 and 61 of the Civil Procedure Code, means actually a person who tills the soil and is dependent on tillage.

**Mr. Speaker :** That is a matter which will be considered before issuing the proposed notification.

**Premier :** We have to consider it carefully so that if we issue a notification it is not infructuous. That is the whole object. The object is not to delay it, but the question is to do something which will be effective in the long run. If we issue a notification with no effect it is as well not to issue the notification. As I have pointed out we have to be very careful. If there is a big zamindar naturally the exemption should be different in his case. Equity and justice demand that we should protect the small zamindars who can just get a bare living. Considering all these matters we have to decide if it is possible to issue a notification under section 61 of the Civil Procedure Code. We may do so. If we cannot achieve the object in view then Government will be prepared even to go further than the resolution and bring forward legislation with a view to achieving the object wholly and completely.

**Mr. Speaker :** Does the honourable mover of the resolution wish to withdraw ?

**Chaudhri Faqir Chand :** No.

**Mr. Speaker :** The question is—

This Assembly recommends to the Government that a notification under section 61 of the Civil Procedure Code be issued forthwith.

*The motion was carried.*

**Mr. Speaker :** I promised to give a ruling on the point whether a parliamentary private secretary can move a resolution on a day set apart for business other than Government business. But up till now I have not been able to ascertain the duties of parliamentary private secretary. As soon as I get the requisite information I shall give my ruling.

*The Assembly then adjourned till 2-30 P.M. on Friday, 21st January, 1938.*

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# PUNJAB LEGISLATIVE ASSEMBLY

1st SESSION OF THE 1st PUNJAB LEGISLATIVE ASSEMBLY.

Friday, 21st January, 1938.

*The Assembly met at the Council Chamber at 2-30 P. M. of the clock.  
Mr. Speaker in the chair.*

## STARRED QUESTIONS AND ANSWERS.

### DAMAGE OF KHARIF CROP BY FLOODS.

**\*1262. Lala Duni Chand :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that on 16th November, 1937, the villages of Khadar Jaman Shumali and Khadar Jaman Janoobi in Ambala district were visited by flood with the result that standing kharif crop was greatly damaged and most of the grain and other belongings of the villages were washed away ;
- (b) whether it is a fact that the persons affected by the flood individually as well as collectively sent representations to the Honourable Premier, the Honourable Minister for Development and other authorities for relief in October last ;
- (c) whether it is a fact that no relief has been granted to them so far and even no replies to their numerous representations have been sent ; if so, the action the Government intends to take to grant relief to them ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes, crops and houses were damaged to some extent by flood on the 16th September, 1937.

(b) Yes, representations from the affected villages were received by the local revenue authorities.

(c) The area affected was visited by all the revenue officers of the tahsil and by the Deputy Commissioner of the Ambala district personally. Tac-cavi to the extent of Rs. 8,138 was distributed for seed. Government have also sanctioned Rs. 2,000 from the Famine Relief Fund to enable the zamindars of affected villages to rebuild their houses.

## CORRUPT OFFICERS.

**\*1263. Lala Duni Chand :** Will the Honourable Premier be pleased to state whether any members of secret service are employed to watch the conduct of Government officials suspected of being corrupt ; if so, the number of reports received against them and in how many cases action has been taken during the last 12 months ?

**Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) :** The reply to the first part of the question is in the negative. The second part does not arise.

SCHEME TO OVERHAUL PRIMARY AND SECONDARY SYSTEM  
OF EDUCATION.

**\*1264. Lala Duni Chand :** Will the Honourable Minister for Education be pleased to state whether any scheme to overhaul the primary and secondary system of education in the province has been prepared ; if so, whether the Government will place on the table of the House a copy of the details of the same ?

**The Honourable Mian Abdul Haye :** Schemes for reorganising and improving the system of primary education in the Province are under consideration of the Government.

The question of improving the secondary education is also engaging the attention of the Government ; and various aspects of the question are being examined by the department.

**Lala Duni Chand :** When that scheme has matured, will the Honourable Minister for Education give an opportunity to the House to discuss that scheme so that we may help him ?

**Minister :** The first step in the scheme would be a certain Bill which shall be introduced into this Legislature and the Legislature shall have ample opportunity to express its views.

**Lala Duni Chand :** May I know by what time the Bill is expected to be introduced ?

**Minister :** If all goes well, I hope to introduce it in the next session.

**Pandit Muni Lal Kalia :** Has any committee been appointed to consider the stages of the scheme ?

**Minister :** If by the stages of the scheme the honourable member means the Primary Education Bill, the answer is no. But I may mention to the honourable member that so far as the question of supplying better type of school teachers is concerned, a committee of experts was appointed by the Government recently and the Committee has finished its labours.

**Sardar Hari Singh :** May I ask if the Honourable Minister will kindly let the House know whether the scheme of education prepared by the Wardha Education Conference has been brought to his notice ?

**Minister :** Yes, through the press.

**Sardar Hari Singh :** Will he be prepared to send for a copy and study it ?

**Minister :** I have done so.

**Sardar Hari Singh :** Will he please state whether he has studied it ?

**Minister :** I have studied some aspects of that scheme.

## SATA GAMBLING.

**\*1265. Lala Duni Chand :** Will the Honourable Premier be pleased to state—

(a) the number of prosecutions started against the sata-gamblers in the Punjab during the period of six months from April to September last and the results thereof ;

(b) the steps, if any, the Government intends to take to put a stop to the sata-gambling ?

**Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) :**

(a) 48 prosecutions : 58 persons convicted.

(b) No new measures are contemplated. The police are fully alive to the need for constant vigilance to check this form of gambling.

## SALARIES TO STAFFS OF DISTRICT BOARDS AND MUNICIPAL COMMITTEES.

**\*1266. Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state—

(a) the names of district boards and municipal committees which were unable during the last financial year to pay the salaries of their staffs regularly ;

(b) the steps, if any, the Government intends to take to ensure regular payment of salaries to the staffs of such local bodies ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) and (b) The information is not readily available, but if the honourable member wishes to bring any such case to the notice of Government, the matter will be looked into.

**Lala Duni Chand :** Is it not a fact that some municipal committees have been unable to pay the salaries of their staffs ?

**Minister :** I have said that the information is not readily available, but if the honourable gentleman will supply particular instances, I will be able to look into the matter.

**Pandit Shri Ram Sharma :** Is Government not aware of a single instance where a municipality has not paid salaries to its employees ?

**Minister :** I can only repeat my reply.

**Lala Duni Chand :** Is it not a fact that the failures of the municipal committees to pay the salaries of their staff are as a matter of course brought to the notice of Government ?

**Minister :** They are, sometimes.

**Lala Duni Chand :** Were no cases brought to the notice of Government ?

**Mr. Speaker :** The next question.

## BRIDGE OVER RIVER SUTLEJ AT CHAROTA.

**\*1267. Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that the inhabitants of Charota, a central place in Kot Garh ilaqa of Simla district, and of other villages

[Lala Duni Chand.]

on both sides of Sutlej river have been making repeated representations to the authorities concerned to construct a bridge over the said river at Charota ;

(b) whether Government is aware that several persons while attempting to cross the river in their usual course of life have lost their lives ;

(c) whether it is a fact that the official estimate of Rs. 7,000 for constructing the bridge has been already made ; if so, the action, if any, the Government intends to take in the matter ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) Yes.

(b) Yes.

(c) Yes, the proposal of constructing a suspension bridge has just been received and is under consideration of Government.

**Lala Duni Chand :** Does the Honourable Minister know how many people have been drowned on account of the difficulty in crossing the river ?

**Minister :** I will be wiser if the honourable member gives me the figures

**Lala Duni Chand :** Does not the Honourable Minister know the figures ?

**Minister :** Obviously not.

**Lala Duni Chand :** You must know when fatalities have occurred.

**Minister :** Not unless they are reported.

**Lala Duni Chand :** Are not such fatalities brought to the notice of Government ?

**Minister :** Sometimes.

#### ANGLO-VERNACULAR MIDDLE SCHOOL, BELA.

**\*1268. Lala Duni Chand :** Will the Honourable Minister for Education be pleased to state—

(a) whether it is a fact that in the Beit area extending from Rupar in Ambala district to Machhiwara in Ludhiana district there is no Government or district board Anglo-vernacular middle school ;

(b) whether it is a fact that the inhabitants of the Beit area started an Anglo-vernacular middle school at the central place Bela in May, 1933 ;

(c) whether Government is aware that they spent about Rs. 5,000 on the building of the school and Rs. 5,000 or so on other requirements of the same ;

(d) whether it is a fact that the said school had been permitted to send up boys for Vernacular Final Examination for two years and that this permission was withdrawn in 1937 ; if so, reasons for the same, and the action the Government intends to take in the matter ?

**The Honourable Mian Abdul Haye :** It is regretted that answer to the question is not yet ready.

## CORRUPTION IN HISSAR COURTS.

**\*1269. Lala Duni Chand :** Will the Honourable Finance Minister be pleased to state—

- (a) whether it is a fact that on the complaint made by Lala Chatar Bhuj Dalmia an inquiry was ordered into the corruption prevailing in courts in Hissar district ; if so, the result of the same ;
- (b) whether it is a fact that Lala Chatar Bhuj Dalmia had requested for being associated with the inquiry ; if so, with what results ?

**The Honourable Mr. Manohar Lal :** I regret that a reply to this question is not yet ready.

## KURALI AND SISWAN ROADS IN AMBALA DISTRICT.

**\*1270. Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that between the towns Kurali and Siswan in Ambala district there existed at one time a serviceable kucha road and that now this road has become practically unserviceable ;
- (b) if the answer to (a) above be in the affirmative, whether the Government intends to reclaim it ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) No, the road still exists. It is serviceable throughout the year, except during rains. It is a fair weather road only. Grass is usually spread during dry season over the beds of *nuddis* (streamlets) that cross the road in question.

(b) Does not arise.

**Lala Duni Chand :** Is it a fact that grass is spread over the *naddi* in the rainy season ?

**Minister :** My reply is there.

**Lala Duni Chand :** Where has the Honourable Minister got that information from ?

**Minister :** Apparently from the official file.

**Lala Duni Chand :** Will he kindly let me know wherefrom that information comes ?

**Minister :** From the local officers concerned.

**Lala Duni Chand :** Can he place the material on the table ?

**Minister :** The grass or the — ? (*laughter*).

**Lala Duni Chand :** The information is that grass is covered in the dry season. Is that done in the rainy season or the dry season ?

**Minister :** I have already stated that in my reply.

**Lala Duni Chand :** Where is the necessity of putting straw in the dry season ? In the hill torrents in the rainy season some times straw is put.

**Minister :** It is only put so that my hon'ble friend when he is going to attend a meeting may not be bogged on the way.

## VILLAGE KOT, BIHLA, ETC., IN AMBALA DISTRICT.

**\*1271. Lala Duni Chand :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that the hill torrent running in close proximity of the village Kot, tahsil Naraingarh, district Ambala, has destroyed a part of the *abadi* of the said village and washed away its lands as also of villages like Bihla, Bhanu and Sundran in its neighbourhood; if so, what action the Government proposes to take in the matter?

**The Honourable Dr. Sir Sundar Singh Majithia :** No such report has reached Government; but enquiries are being made.

## RAMGARH-JAGADHARI ROAD, IN AMBALA DISTRICT.

**\*1272. Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that the kucha road running between Ramgarh, tahsil Naraingarh, district Ambala, and Jagadhari town in the same district is in a dangerous condition for cart traffic and that formerly it used to be maintained but now lies altogether neglected;

(b) if so, the action the Government proposes to take in the matter?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) No, the road is not in a dangerous condition for cart traffic, nor is its maintenance being neglected. The road is on the whole in a fair condition and every endeavour is being made to keep the road in passable condition.

(b) Does not arise.

**Lala Duni Chand :** May I know the nature of the endeavour that is being made?

**Minister :** The usual endeavours that are made to improve a road.

**Lala Duni Chand :** What are those endeavours?

**Minister :** They consist of many operations.

**Lala Duni Chand :** What kind of operations?

**Minister :** Road improvement operations.

**Mr. Speaker :** The next question.

## BRIDGE ACROSS RIVER SOMB, IN AMBALA DISTRICT.

**\*1273. Lala Duni Chand :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that no bridge exists on Somb river between Dadupur in Ambala district and its junction with river Jumna;

(b) whether it is a fact that representations have been made from time to time to construct a bridge near the central village Khadari, to the local authorities; if so, the action, if any, taken in the matter?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) Not as far as is known.

A road bridge over the Somb river at Dadupur is now under construction which will serve the needs of the area in question.

**VETERINARY HOSPITAL IN MANIMAJARA, DISTRICT AMBALA.**

**\*1274. Lala Duni Chand :** Will the Honourable Minister for Development be pleased to state whether it is a fact that a veterinary hospital at Manimajara, tahsil Kharar, district Ambala, has been sanctioned by the district board, Ambala, but it has not started functioning so far; if so, reasons for the delay and the action the Government proposes to take in the matter?

**The Honourable Chaudhri Sir Chhotu Ram :** A proposal for the starting of a veterinary hospital at Manimajara was laid before the meeting of the District Board, Ambala on the 8th January, 1936. It was discussed in the meetings of the board held on the 15th and 25th February, 1937, but was dropped finally by the board in its meeting of the 30th July, 1937, on account of the paucity of funds. There is already an outlying dispensary at Manimajara attached to the Veterinary Hospital at Kharar in the Ambala district.

**Lala Duni Chand :** Is it a fact that in other tahsils of Ambala district there are two or three veterinary hospitals in each tahsil while in Kharar tahsil there is only one veterinary hospital?

**Minister :** If the honourable member gives me notice of that question I will answer it.

**COMPLAINTS MADE BY VILLAGES NAGGAL, ETC.**

**\*1275. Lala Duni Chand :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that the inhabitants of the village Naggal, Kharar tahsil, Ambala district, and other adjoining villages have made complaints to the authorities concerned that two employees of the Forest Department have recently levied a tax of four annas per house by representing to them that sections 4 and 5 of the Chos Act have been repealed;

(b) if so, the names of these officials and the action the Government intends to take in the matter?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) No complaints have been received against the employees of the Forest department, in the villages mentioned, enquiries are however being made.

(b) The results of these enquiries are awaited.

**REFUND CLAIMED BY INHABITANTS OF VILLAGE SOHANA,  
DISTRICT AMBALA.**

**\*1276. Lala Duni Chand :** Will the Honourable Premier be pleased to state—

(a) the amount of the balance due, if any, to the people of village Sohala, tahsil Kharar, Ambala district, out of the collections

[Lala Duni Chand]

made from the said village for the cost of punitive police posted there in 1921-22 ;

- (b) whether it is a fact that they have asked for the refund of nearly Rs. 1,300 ; if so, the action the Government intends to take in the matter ?

**Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) :**

(a) An additional police post was located at village Sohana (not Sohala as stated in the question) from the 26th May, 1922, to the 20th May, 1923. The recoveries on this account were certainly completed by July, 1931, probably considerably earlier. I cannot undertake at this stage to go into the details of the expenditure, or consider any question of a refund.

(b) No such application has been received.

**Lala Duni Chand :** Is the honourable member aware of the fact that the balance of Rs. 1,300 is really due to this village ?

**Parliamentary Secretary :** It is not correct.

**Lala Duni Chand :** How much is due ?

**Parliamentary Secretary :** It is not possible to give all the details of expenditure.

**Lala Duni Chand :** Then how does he say that this balance is not correct ?

**Parliamentary Secretary :** The correct figure is Rs. 919-8-0.

**Lala Duni Chand :** Then why is it that it is not returned to them ?

**Parliamentary Secretary :** It is an old case and Government is not prepared to open it at this stage.

#### MUNICIPAL COMMITTEE, LYALLPUR.

**\*1277. Seth Ram Narain Virmani :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that the term of the present municipal committee, Lyallpur, has expired since long ;
- (b) whether it is also a fact that the committee itself as well as other public bodies have passed resolutions requesting the Government to expedite the arrangements for holding general elections for the said committee ; if so, the action Government intends to take in the matter ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) Yes.

(b) The Municipal Committee of Lyallpur passed a resolution to expedite the arrangements for holding the next general elections. No other public body has submitted any resolution to the local officers. The question of revision of wards is in hand and the next general elections will be arranged as soon as the revision of wards is complete.

**Munshi Hari Lal :** When did the term expire ?

**Minister :** That does not arise out of this question.

**Munshi Hari Lal :** It is said here that it has long since expired. When did it expire ?

**Minister :** Apparently some time ago.

**Munshi Hari Lal :** No date can be given ?

**Minister :** I am unable to specify the date.

**Dr. Shaikh Muhammad Alam :** Not even the year ?

RESOLUTION PASSED BY THE LYALLPUR MUNICIPAL COMMITTEE.

**\*1278. Seth Ram Narain Virmani :** Will the Honourable Minister for Public Works be pleased to state whether it is a fact that the municipal committee, Lyallpur, has passed a resolution recommending to the local Government to so amend the Punjab Municipal Act as to abolish the nominated block in the local bodies ; if so, the action the Government intend to take in the matter ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** Yes, but Government do not propose to take any action at present.

**Pandit Muni Lal Kalia :** When is it expected that the Government will make a change in their view ?

**Minister :** I am unable to say for obvious reasons.

**Munshi Hari Lal :** Is the removal of the nominated bloc under the contemplation of the Government ?

**Mr. Speaker :** The original question relates to one municipality, while the honourable member's question goes far beyond it and asks the Government to make a statement about the whole province.

**Munshi Hari Lal :** I am confining my question to Lyallpur. Is it under contemplation to abolish the nominated bloc on the Municipal Committee of Lyallpur and the District Board of Lyallpur ?

**Minister :** How does the question of District Board arise ?

**Munshi Hari Lal :** The question refers to 'local bodies.'

**Pandit Shri Ram Sharma :** Is it the intention of the Government to increase the nominated bloc in the Lyallpur municipality ?

**Minister :** It is a vague question.

**Pandit Shri Ram Sharma :** Is it a fact that Government contemplates the question of increasing the number of nominated members ?

**Minister :** That question does not arise.

**Seth Ram Narain Virmani :** Who is to decide as to whether the question arises or not ?

**Mr. Speaker :** The question whether Government intends to increase the number of nominated members in the Lyallpur municipality does not appear to be out of order. (*Hear, hear*).

**Minister :** My reply is that Government do not propose to take any action at present.

**Dr. Shaikh Muhammad Alm :** The question is whether Government is contemplating or not, not whether Government is going to take action.

**Chaudhri Kartar Singh :** Will the Honourable Minister please state whether Government is considering the advisability of increasing the number of nominated members in the said Municipality ?

**Dr. Shaikh Muhammad Alam :** Sir, the Honourable Minister does not give an answer.

**Mr. Speaker :** Does the honourable member expect the chair to extort an answer from him ?

**Dr. Shaikh Muhammad Alam :** My submission is that he should at least say that he does not want to answer.

**Mr. Speaker :** His silence speaks for itself.

**Minister :** I desire to answer.

**Lala Bhim Sen Sachar :** On a point of order. The Honourable Minister has said that he desires to answer and then he does not answer.

**Mr. Speaker :** It is open to a Minister to decline to answer a question on the ground that it will not be in the public interest to answer it. But he may refuse to answer a question without assigning any reason.

**Lala Duni Chand :** The chair has a right to remonstrate with such an attitude of the Minister.

**Mr. Speaker :** May I request the honourable member to quote any authority for his view ?

**Sardar Sohan Singh Josh :** May I know whether Ministers can give evasive answers ?

**Mr. Speaker :** I have no authority on that point as well.

**Sardar Hari Singh :** May I know whether your remarks apply only to supplementary questions ?

**Mr. Speaker :** No. They apply to all kinds of questions.

#### MUNICIPAL COMMITTEE, LYALLPUR.

**\*1279. Seth Ram Narain Virmani :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that the municipal committee, Lyallpur, in its meeting held on the 5th June, 1937, sent to the Deputy Commissioner their proposal about the constitution of the wards of the town ;

(b) whether it is a fact that these proposals have not so far been forwarded to the Minister in charge of Local Self-Government ;

(c) whether the Government intends to change the constitution of the wards of the said town as proposed by the municipal committee ; if so, why ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) Yes.

(b) Yes.

(c) In November, 1936, the constitution of the Municipal Committee of Lyallpur was revised from 16 to 26 with 20 elected seats and the Committee framed 20 wards accordingly. Subsequently in order to ensure communal

adjustment in accordance with the usual formula the number of elected seats was increased to 21 out of the total of 26. On being asked the Committee pleaded its inability to frame 21 wards and the revision of wards has therefore now been taken in hand by the Deputy Commissioner.

**Seth Ram Narain Virmani :** Was any mistake discovered in the previous preparation of 20 wards which necessitated this change ?

**Minister :** The reply is quite clear. Now the elected members have been increased to 21 and therefore the revision of wards has been taken in hand.

**Seth Ram Narain Virmani :** Is it a fact that one more seat is proposed to be given to Muslims ?

**Minister :** Seats are worked out according to the formula. I have only fixed the number at 21 and this will be worked out according to the rights of various communities.

**Sardar Lal Singh :** Will the Honourable Minister please state which community will gain in representation by the increase ?

**Minister :** I have already said that it will be worked out according to the formula.

**Seth Ram Narain Virmani :** Is it a fact that according to the previous formula, 9 seats were allotted to Hindus, 7 to Muslims, 3 to Sikhs and one to Christians ? But now according to the new formula 9 seats will go to Hindus, 8 to Muslims, 3 to Sikhs and one to Christians ?

**Minister :** I have increased the number to 21 elected seats and they will be distributed according to the formula, and all communities will get their due share.

**Lala Bhim Sen Sachar :** What are the considerations which weighed with the Government in increasing the number from 20 to 21 ?

**Minister :** May I take it that the honourable member is against the increase in the elected element ?

**Lala Bhim Sen Sachar :** No, that is not the question. The question is what were the reasons for increasing the number from 20 to 21 and whether that increase keeps the number of nominated members in-tact or it disturbs that number.

**Minister :** It is to give a proper share to all concerned and to increase the number of elected element.

**Pandit Shri Ram Sharma :** Could not this communal proportion be worked out within 20 wards ?

**Minister :** The larger the number of elected seats the better for the communities concerned.

**Pandit Bhagat Ram Sharma :** Will the Honourable Minister kindly analyse the formula ?

**Minister :** The honourable member can do the counting himself and find out the " mean " of the population and voting strength.

## MUNICIPAL COMMITTEE, LYALLPUR.

**\*1280. Seth Ram Narain Virmani :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether he is aware of the fact that the number of the elected and nominated members of the municipal committee, Lyallpur, is fourteen at present ;
- (b) whether it is the intention of the Government to nominate a larger number of members than at present to the municipal committee at the time when the ordinary term of the committee expires ; if so, how many ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) The number of members on the Municipal Committee of Lyallpur is sixteen and not fourteen.

(b) The ordinary term of the Committee has already expired. The question of nominating some additional members for the interval before the elections can be held is under consideration.

**Seth Ram Narain Virmani :** Is it a fact that the number of nominated members is 14 at present, 2 members having resigned ?

**Minister :** May be.

**Seth Ram Narain Virmani :** Is it a fact that the general election of the Committee is being postponed in order to affect this nomination ?

**Minister :** Not at all, but in order to bring in a new committee from properly arranged wards.

**Lala Bhim Sen Sachar :** What stands in the way of the Honourable Minister issuing a notification for the general election ?

**Minister :** As soon as the formulating of the wards is completed the election will be held.

**Pandit Shri Ram Sharma :** How many members will be nominated ?

**Minister :** Five according to this proposal.

**Munshi Hari Lal :** When does the Honourable Minister expect that the wards would be formulated ?

**Minister :** I gave a reply to that yesterday.

## DEPUTY COMMISSIONER'S OFFICE, JHANG.

**\*1281. Seth Ram Narain Virmani :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the number of Hindus, Muslims and Sikhs separately who were appointed directly in the Deputy Commissioner's office, Jhang, without being first enlisted as candidates since 1980 ;
- (b) the number of Hindus, Muslims and Sikhs separately in the grade of Rs. 75—5—125, in the said office in the year 1980 ;
- (c) the number of Hindus, Muslims and Sikhs separately in the grade of Rs. 75—5—125 to-day ;
- (d) the number of Hindus, Muslims and Sikhs separately in the said office in the grade of Rs. 40—2—90 in the year 1980 ;

- (e) the number of Hindus, Muslims and Sikhs separately in the said office in the grade of Rs. 40—2—90 to-day ?

**The Honourable Dr. Sir Sundar Singh Majithia : —**

	<i>Hindus.</i>	<i>Muslims.</i>	<i>Sikhs.</i>	<i>Total.</i>
(a) ..	1	1	..	2
(The list of candidates was abolished in April, 1934 under Government orders.)				
(b) ..	4	3	..	7
(c) ..	1	6	..	7
(d) ..	5	4	..	9
(e) ..	2	7	..	9

**Pandit Shri Ram Sharma :** What instructions has the Government issued to the district authorities for giving proper communal representations to the various communities ?

**Minister :** I am not prepared to lay that on the table of the House.

DEPUTY COMMISSIONER, JHANG AND CANDIDATES FOR NAIB  
TAHSILDARSHIP, ETC.

**\*1282. Seth Ram Narain Virmani :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the number of Hindus, Muslims and Sikhs separately whose names were recommended by the Deputy Commissioner, Jhang, for the post of naib-tahsildar since the year 1920, and the number of those who were accepted ;
- (b) the number of Hindus, Muslims and Sikhs separately whose names were recommended by the Deputy Commissioner, Jhang, for the post of tahsildar since the year 1920, and the number of those who were accepted ;
- (c) the number of Hindus, Muslims and Sikhs separately whose names were recommended by the Deputy Commissioner, Jhang, for the posts of excise inspectors and sub-inspectors since 1920 and the number of those who were accepted ?

**The Honourable Dr. Sir Sundar Singh Majithia :—**

(a)	<i>Recommended. Accepted.</i>			
Muslims .. ..	..	..	18	8
Hindus .. ..	..	..	6	3
Sikhs .. ..	..	..	..	..

- (b) and (c) It is regretted that complete information is not available.

DEPUTY COMMISSIONER'S OFFICE, JHANG.

**\*1283. Seth Ram Narain Virmani :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the number of Hindus, Muslims and Sikhs separately who were appointed as leave reserve clerks in the Deputy Commissioner's office, Jhang, since the introduction of the system of appointing leave reserve clerks till the present day ;

[Seth Ram Narain Virman.]

- (b) the number of Hindu, Muslim and Sikh officials separately who retired since the year 1930 till the present day from the office of the Deputy Commissioner, Jhang;
- (c) the number of clerks community-wise in the office of the Deputy Commissioner, Jhang, in the year 1930;
- (d) the number of clerks community-wise in the office of the Deputy Commissioner, Jhang, to-day?

**The Honourable Dr. Sir Sundar Singh Majithia :—**

	<i>Hindus.</i>	<i>Muslims.</i>	<i>Sikhs.</i>	<i>Total.</i>
(a) ..	7	14	1	22
(b) ..	9	4	..	13
(c) ..	39	33	..	72
(d) ..	26	49	1	76

PATWARIS AND GIRDAWAR-QANUNGOS IN DISTRICT JHANG.

**\*1284. Seth Ram Narain Virmani :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the number of Hindus, Muslims and Sikhs separately who were appointed as patwaris (revenue) in the Jhang district since April, 1928, till the present day;
- (b) the number of Hindus, Muslims and Sikhs separately whose names were accepted as candidates for the posts of patwaris in Jhang district since April, 1928, uptil now;
- (c) the number of Hindus, Muslims and Sikhs separately whose names were accepted as candidates for the post of girdawar-qanungos in the Jhang district since April, 1928, uptil now;
- (d) the number of Hindus, Muslims and Sikhs separately who have been appointed as girdawar-qanungos in Jhang district since April, 1928, uptil now;
- (e) the number of Hindu, Muslim and Sikh patwaris separately in Jhang district who have been made to retire or have been dismissed since April, 1928, till the present day;
- (f) the number of Hindu, Muslim and Sikh patwaris separately in the Jhang district who have been fined, suspended and degraded since the year 1928 till the present day;
- (g) the number of Hindu, Muslim and Sikh girdawar-qanungos in Jhang district who have been made to retire since April, 1928, till the present day;
- (h) the number of Hindu, Muslim and Sikh girdawar-qanungos separately in the Jhang district who have been fined, suspended and degraded since April, 1928, uptil now?

**The Honourable Dr. Sir Sundar Singh Majithia :** As the records for the period prior to the year 1985 have been destroyed, information for the years 1936 to 1987 only is available and is given below :—

		<i>Hindus.</i>	<i>Muslims.</i>	<i>Sikhs.</i>	<i>Total.</i>
(a)	..	5	19	..	24
(b)	..	1	19	2	22
(c)	..	..	..	..	..
(d)	..	..	..	..	..
(e)	..	12	4	..	16
(f)	..	108	150	4	257
(g)	..	..	1	..	1
(h)	..	..	1	..	1

**INTERMEDIATE COLLEGES AND HIGH SCHOOLS IN RAWALPINDI DIVISION.**

**\*1285. Subedar-Major Raja Farman Ali Khan :** Will the Honourable Minister for Education be pleased to state—

- whether it is a fact that during the years 1924 and 1925, the member for Rawalpindi constituency brought forward a resolution in the Punjab Legislative Council to the effect that an Intermediate college at Gujjar Khan and a high school at Kontrela be opened ;
- whether the then Honourable Minister for Education (the late Mian Sir Fazl-i-Husain) promised to do so ;
- whether the late Sir Fazl-i-Husain visited the place, and whether later on the Director of Public Instruction and Sir Chhotu Ram also paid a visit to Gujjar Khan ;
- if answers to (a), (b) and (c) be in the affirmative, what action does Government intend to take ?

**The Honourable Mian Abdul Haye :** (a) Yes ; about an Intermediate college at Gujjar Khan, but no such resolution was moved for a high school at Kontrela.

(b) No.

(c) I am not aware of the late Mian Sir Fazl-i-Husain's visit to Gujjar Khan. The Honourable Sir Chhotu Ram, the then Minister for Education, however, visited that place in 1926. The Director of Public Instruction, Punjab, also went there in November last.

(d) The Government does not favour the opening of new Intermediate colleges, nor is it prepared to start more high schools in the Rawalpindi division, as the demand is being adequately met by the existing institutions.

**NOTIFIED AREA AT MANDI BAHAUDDIN.**

**\*1286. Chaudhri Muhammad Abdul Rahman Khan :** With reference to the answer of starred question No. 2629 asked in the Punjab Legislative Council on 31st July, 1983, will the Honourable Minister of Revenue be pleased to place a copy of the orders, if any, on the table of the House, especially those orders which related to the notified area at Mandi Baha-ud-Din ?

**The Honourable Dr. Sir Sundar Singh Majithia :** Government issued no orders as none were necessary.

PROVINCIALIZATION OF ROADS IN HOSHIARPUR DISTRICT.

**\*1287. Sardar Hari Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that Hariana-Hoshiarpur-Garhshanker and Hoshiarpur-Una roads in district Hoshiarpur have been provincialized ; if so, the improvements that the Government contemplates making in the said roads ;
- (b) further programme of provincialization of roads in Hoshiarpur district, if any ;
- (c) the way the District Board, Hoshiarpur, intends to utilize the funds released as a consequence of the provincialization of these roads ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) Yes. The roads will be improved by reconditioning their metalled surface so as to make them fit for motor traffic. The un-metalled section of the Hoshiarpur-Una road is also proposed for metalling during 1938-39.

(b) None.

(c) The District Board, Hoshiarpur, has resolved to spend the savings that accrue as a result of such provincialization, on improvements to other roads in their charge.

**\*1288.** (See Debates of 24th January, 1938.)

JAGIR OF SARDAR SARDUL SINGH CAVEESHER.

**\*1289. Lala Duni Chand :** With reference to question No. 37 put by me and replied to by the Honourable Premier and questions Nos. 34, 35, 36 and 38 put by me and replied to by the Honourable Minister for Revenue on the 21st June, 1937, will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that previous to November, 1936, when the *jagir* of Sardar Sardul Singh Caveesher was forfeited he had been convicted of very serious offences and several times sentenced to long terms of imprisonment but no action was taken against him with regard to the forfeiture of the *jagir* and that the last sentence on the strength of which his *jagir* was forfeited was awarded for the offence of picketing ;
- (b) whether there exist any orders or recommendations regarding the forfeiture of the same *jagir* prior to 1936 ; if so, will the Government please place a copy of the same on the table of the House ;
- (c) whether it is a fact that the recommendation for the forfeiture of his *jagir* was made by the Deputy Commissioner, Gurdaspur,

in the year 1936 and that prior to that no proceedings of any kind had been taken regarding the forfeiture of the said *jagir*;

- (d) whether there exists any precedent or instance in which a *jagir* or *muafi* was forfeited for the offence of picketing or some other similar offence; if so, what?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes, but the orders resuming the *muafi* were passed in February, 1937. The last conviction was under section 7 of the Criminal Law Amendment Act.

(b) Does not arise in view of the reply given in (a) above.

(c) Yes. Before 1936 the *muafi* was in dispute between the Sikh Gurdawaras Parbandhak Committee and Sardar Sardul Singh Caveesher.

(d) Yes, but it is not in the Public interest to mention them.

**Lala Duni Chand :** In view of the answer given now, is it true that the information supplied to the House on previous occasions was incorrect?

**Minister :** I think it is consistent with the previous reply.

#### CANDIDATES FOR TAHSILDARSHIP AND NAIB-TAHSILDARSHIP.

**\*1290. Chaudhri Ali Akbar :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the number of candidates nominated as tahsildars and naib-tahsildars during the last twenty years from each district of the province;
- (b) how many among those referred to in (a) above were Muslims and how many belonged to other communities;
- (c) how many among Muslims were such agriculturists as actually resided in villages?

**The Honourable Dr. Sir Sundar Singh Majithia :** A statement is laid on the table.

#### TAHSILDARS.

Division.	District.	Muslims.	Hindus.	Sikhs.	Indian Christians.	Total.	Muslim agriculturists residing in villages.
AMBALA.	Hissar .. ..	1	3	..	..	4	..
	Rohtak .. ..	2	7	..	..	9	2
	Gurgaon .. ..	..	3	..	..	3	..
	Karnal .. ..	2	1	..	..	3	..
	Ambala .. ..	..	2	..	..	2	..
	Simla .. ..	..	1	..	..	1	..
	Delhi .. ..	1	2	..	..	3	..

[Minister for Revenue.] •

Division.	District.	Muslims.	Hindus.	Sikhs.	Indian Christians.	Total.	Muslim agriculturists residing in villages.
JULLUNDER.	Kangra .. ..	..	2	..	..	2	..
	Hoshiarpur ..	4	1	4	..	9	3
	Jullundur .. ..	2	..	3	..	5	1
	Ludhiana .. ..	2	..	1	..	3	..
	Ferozepore ..	..	..	..	..	..	..
LAHORE.	Lahore .. ..	1	3	3	..	7	..
	Amritsar .. ..	1	1	..	1	3	1
	Gurdaspur .. ..	1	..	1	..	2	1
	Sialkot .. ..	3	..	3	..	6	2
	Gujranwala ..	..	1	2	..	3	..
	Sheikhupura ..	2	..	..	..	2	1
RAWALPINDI.	Gujrat .. ..	3	..	..	..	3	3
	Shahpur .. ..	3	..	..	..	3	2
	Jhelum .. ..	..	1	..	..	1	..
	Rawalpindi ..	4	..	..	..	4	3
	Attock .. ..	4	..	..	..	4	4
	Mianwali .. ..	2	..	..	..	2	2
MULTAN.	Montgomery ..	..	..	..	..	..	..
	Lyallpur .. ..	3	..	1	..	4	3
	Jhang .. ..	4	..	..	..	4	3
	Multan .. ..	3	..	..	..	3	1
	Muzaffargarh ..	..	..	..	..	..	..
	Dera Ghazi Khan ..	4	..	..	..	4	4
	GRAND TOTAL ..	52	28	18	1	99	36

NAIB-TAHSILDARS.

Division.	District.	Muslims.	Hindus and Sikhs.	Total.	Muslim agriculturists residing in villages.
AMBALA.	Hissar .. ..	4	6	10	4
	Rohtak .. ..	2	6	8	2
	Gurgaon .. ..	2	6	8	1
	Karnal .. ..	6	5	11	3
	Ambala .. ..	5	8	13	2
	Simla .. ..	..	2	2	..
	Delhi .. ..	2	4	6	..
JULLUNDUR.	Kangra .. ..	..	8	8	..
	Hoshiarpur .. ..	6	7	13	..
	Jullundur .. ..	11	11	22	..
	Ludhiana .. ..	5	6	11	..
	Ferozepore .. ..	1	10	11	..
	Total .. ..	..	..	..	12
LAHORE.	Lahore .. ..	District figures not available.			
	Amritsar .. ..				
	Gurdaspur .. ..				
	Sialkot .. ..				
	Gujranwala .. ..				
	Sheikhupura .. ..				
	Total .. ..	32	27	59	21
RAWALPINDI.	Gujrat .. ..	5	5	10	4
	Shahpur .. ..	11	3	14	10
	Jhelum .. ..	9	1	10	9
	Rawalpindi .. ..	5	3	8	4
	Attock .. ..	5	1	6	5
	Mianwali .. ..	11	2	13	5

[Minister for Revenue.]

Division.	District.	Muslims.	Hindus and Sikhs.	Total.	Muslim agriculturists residing in villages.
MULتان.	Montgomery .. ..	}	}	}	District figures not available.
	Lyallpur .. ..				
	Jhang .. ..				
	Multan .. ..				
	Muzaffargarh .. ..				
	Dera Ghazi Khan .. ..				
	Total .. ..	52	29	81	34
	GRAND TOTAL .. ..	174	150	324	116

## CANDIDATES FOR EXTRA ASSISTANT COMMISSIONERSHIP.

**\*1291. Chaudhri Ali Akbar:** Will the Honourable Premier be pleased to state—

- the number of candidates nominated as extra assistant commissioners during the last twenty years by nomination from each district of the province;
- how many among those referred to in (a) above were Muslims and how many were non-Muslims;
- among Muslims how many were such agriculturists as actually resided in villages and those who though agriculturists by community resided in towns?

**Parliamentary Secretary** (Mir Maqbool Mahmood): (a), (b) and (c). To collect the information required by the honourable member would entail an expenditure of time and labour out of all proportion to the result to be obtained. The essential facts regarding the proportions of different communities and agriculturists and non-agriculturists in the Punjab Civil Service are published in the consolidated statements which are supplied to members each year. The factors which are taken into consideration in accepting candidates for appointment to the various provincial services were explained in the reply to parts (b) and (c) of question No. \*381<sup>1</sup>, asked in July, last.

<sup>1</sup>Volume I, page 1286.

## WATERLOGGING OF LANDS BY KESHOPUR CHHAMB LAKE.

**\*1292. Chaudhri Ali Akbar :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that on 23rd July, 1937, the zamindars of villages Miani, Dala, Chuharr Chak, Numta, Khudadad Pur, Bhola, Matwan, Keshopur, Sadhu Chak, Bhokra, Ali Chak, Shamsherpur, Majithi in tahsil Gurdaspur sent a representation to the Revenue Department to the effect that as their lands had been waterlogged by the Keshopur chhamb (lake) they had suffered heavily and that an outlet be made to let out the water from the above-mentioned lake;
- (b) if the answer to (a) above be in the affirmative, the steps the Government has taken so far in this respect?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) No. The zamindars of these villages did, however, present a written statement to the Tahsildar, who was sent to persuade them to co-operate in working an experiment for composting Hyacinth (*Gul Bakauli*), to the effect that Hyacinth should not be eradicated, but that an outlet should be provided.

(b) Does not arise.

## MUSLIM DISTRICT INSPECTORS IN THE PUNJAB.

**\*1293. Sufi Abdul Hamid Khan :** Will the Honourable Minister of Education be pleased to state—

- (a) the number of Muslim district inspectors of schools in the Punjab who belong to the Ambala division;
- (b) the number of those among the above who belong to the notified agriculturist tribes;
- (c) the reasons for the meagre representation of the Muslim agriculturists of Ambala division in the posts higher than those of the assistant district inspector of schools?

**The Honourable Mian Abdul Haye :** (a) None.

(b) Does not arise.

(c) The policy of Government with regard to recruitment to Government services was stated by the Honourable Finance Member in a debate in the Legislative Council on the 19th July, 1927. This is still the policy of Government and Government continue to carry out the requirements of the formula contained in the said statement of policy.

**Pandit Shri Ram Sharma :** May I know while making recruitments to these services any consideration is given to the districts and divisions to which the candidates belong?

**Minister :** It is not in the formula.

## MUSLIM DISTRICT INSPECTORS IN THE PUNJAB.

**\*1294. Sufi Abdul Hamid Khan :** Will the Honourable Minister of Education be pleased to state—

- (a) the number of Muslim assistant district inspectors of schools in the Punjab;

[Sufi Abdul Hamid Khan.]

- (v) the number of the Muslim assistant district inspectors of schools who belong to Ambala division ;
- (c) the number of those among the Muslim assistant district inspectors mentioned in (b) above who belong to notified agriculturist tribes ;
- (d) the reasons for the meagre representation of the Muslim assistant district inspectors who belong to notified agriculturist tribes of Ambala division and steps the Government intends to take to increase their representation on the above-mentioned cadre ?

**The Honourable Mian Abdul Haye :** (a) (b) and (c) The honourable member is referred to the Register of the Subordinate Educational Service (Men's Branch), a copy of which is placed in the Assembly Library.

(d) The policy of Government was stated by the Honourable Finance Member in a debate in the Legislative Council on the 19th of July, 1927. This is still the policy of Government, and Government continue to carry out the requirements of the formula contained in the said statement of policy.

**Lala Duni Chand :** Is it true that communal considerations imported into the question of making appointments to services have very much impaired the efficiency of the services and even demoralized them ?

**Minister :** It has not impaired the efficiency of the services. It has on the other hand improved them.

#### REALIZATION OF MALBA IN JAGADHARI.

**\*1295. Lala Duni Chand :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that in Jagadhari tahsil of the Ambala district two kinds of Malba, kacha and pucca, are realized ; if so, the distinction between the two ; and whether they are realized under any official orders or instructions ?

**The Honourable Dr. Sir Sundar Singh Majithia :** Government has no information in regard to the administration of the *malba* cess in the Jagadhari tahsil of the Ambala district, as it has no direct concern in the matter. When the *malba* is raised by distributing the exact sum required periodically over landowners, it is called *kacha*, and when it is charged as a fixed percentage on the revenue, it is known as *pacca*. *malba* is realized in accordance with the existing usage as recorded in the *wajib-arz* and not under any official orders or instructions.

**Lala Duni Chand :** Is it true that these realisations of *malbas* are illegal exactions ?

**Mr. Speaker :** The honourable member is not in order in asking for legal opinion.

**Dr. Shaikh Muhammad Alam :** Has it been brought to the notice of the Honourable Member that they are illegal exactions ?

**COSTS OF PUNITIVE POLICE POST AT VILLAGES DALL, DALEERI, ETC.**

**\*1296. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

- (a) whether any inquiry was made as to the amount actually spent by the Government for maintaining the additional police post at villages Dall, Daleeri and Kalsian in district Lahore referred to in questions Nos. \*391<sup>1</sup> and \*395<sup>2</sup> before waiving off Rs. 152-1-2 due from the inhabitants of the aforesaid villages, on account of the police post costs ;
- (b) if the answer to (a) be in the affirmative—
  - (i) the dates of the completion of the said inquiry ; and
  - (ii) the amount actually spent by the Government ;
  - (iii) the date on which the decision to waive off the arrears was arrived at by the Government ?

**Parliamentary Secretary (SARDAR SAHIB SARDAR UJJAL SINGH)**

(a) The facts being already known—the essential figures were given to the House in the Simla session—there was no occasion for any special enquiry.

(b) (i) Does not arise.

(ii) As has been explained in answer to other questions, it is never possible to reckon the “ actual costs ” of a body of additional police with exactitude, as certain items in the bill (for example, charges for superintendence, the cost of the men’s preliminary training, the cost of armament and interest charges during the period of recovery) cannot be precisely determined. Excluding these, the amount spent on the post was Rs. 20,249-14-6.

(iii) In August, 1936.

**Dr. Sant Ram Seth :** Under what legal authority are superintending charges, armament charges and interest charges levied ?

**Parliamentary Secretary :** No special rule is required for this and even if there is a rule, I cannot quote it off-hand.

**Dr. Sant Ram Seth :** There is a rule.

**COST OF THE ADDITIONAL POLICE POST AT VILLAGE JAHMAN.**

**\*1297. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

- (a) the sanctioned cost of the Additional Police Post located at village Jahman in district Lahore in 1924 for the years 1924-25, 1925-26 and 1926-27 separately ;
- (b) the initial charges of this Police Post imposed upon the inhabitants and recovered along with the costs of the 1st year, i.e., 1924-25 ;
- (c) whether a similar sum representing the annual cost *plus* initial charges was recovered in the last two years also, i.e., 1925-26.

<sup>1</sup>Volume I, pages 1113—15.

<sup>2</sup>Volume I, pages 1373—75.

[Dr. Sant Ram Seth.]

and 1926-27, and, if so, the amount the Government had to spend on initial charges ;

(d) how Government intends to compensate for the extra sums charged ?

**Parliamentary Secretary** (SARDAR SAHIB SARDAR UJJAL SINGH) :  
(a) and (b)—

	Rs.	A.	P.	
1st June, 1924 to 31st May, 1925	7,527	6	4	
including	525	0	0	initial charges.
1st June, 1925 to 31st May, 1926	7,002	6	4	
1st June, 1926 to 31st May, 1927	7,002	6	4	
(c) No.				
(d) Does not arise.				

REFUND OF THE COST OF ADDITIONAL POLICE POST QUARTERED  
AT VILLAGE JAHMAN.

**\*1298. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state whether the answer to question No. \*34<sup>1</sup> put by me in the last Session of the Assembly is ready ; if so, the reply may kindly be read out ?

**Parliamentary Secretary** (SARDAR SAHIB SARDAR UJJAL SINGH) :  
The final reply was forwarded to the Assembly office in July last. It was as follows :—

(a) Yes.

(b) The main figures were given in the reply to question 30<sup>2</sup>, put by the honourable member for the Lahore City General Constituency. (As has been explained in the replies to several other questions, it is never possible to state the "actual costs" of a body of additional police with accuracy, as the bill must contain certain items which cannot be calculated with exactitude.) Out of the amount shown as recovered (Rs. 2,996) a sum of Rs. 205-6-0 was refunded to the villagers in 1931 and a further sum of Rs. 1,263-10-8 in 1932.

(c) Yes. (The refund claimed in the petition was Rs. 8,717-15-10 and not Rs. 8,733-9-9.) Government are not prepared to re-open this old case at this stage.

COSTS OF ADDITIONAL POLICE POST AT VILLAGES MANGA AND  
THARRA.

**\*1299. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

(a) whether any inquiry was made by the Government as to the actual amount spent by the Government for maintaining

<sup>1</sup>Volume I, page 323.

<sup>2</sup>Volume I, pages 266-67.

an Additional Police Post at villages Nanga and Tharra in district Lahore, referred to in answer to question No. 395 (starred) during the last Assembly session before waiving Rs. 9-5-0 due from the inhabitants of the aforesaid villages on account of the police post costs ;

- (b) if the answer to (a) be in the affirmative, (i) the dates of the commencement and completion of the said inquiry ;
- (ii) the amount actually spent by the Government on the said police post ;
- (iii) the date of the decision to waive off the arrears ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) The facts being already known—the essential figures having been given to the House in the Simla session—there was no occasion for any special inquiry.

(b) (i) Does not arise.

(ii) The Honourable Member is invited to refer to the replies given to questions\* 395<sup>1</sup> and 30<sup>2</sup> in the last session.

(iii) 14th July, 1937.

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ELECTION OF VILLAGE PANCHAYAT OF POHUWIND, TAHSIL KASUR.

**\*1300. Dr. Sant Ram Seth :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether the election of village Panchayat of village Pohuwind in tahsil Kasur, district Lahore, took place in July, 1935, and whether Risaldar Natha Singh, son of Udham Singh, was elected as one of its members ;

(b) whether S. Sher Singh, Headman of Pohuwind, district Lahore, submitted an application to the Commissioner, Lahore division, on the 26th September, 1936, which was received by his office on the 28th September, 1936, in which he complained that the election of S. Natha Singh mentioned in (a) was illegal as he did not possess the requisite qualifications of a candidate for the Panchayat, laid down in rule No. 2 of 1930 sanctioned by the Government under the Village Panchayat Act ;

(c) if the answer to (b) be in the affirmative, was any inquiry made ; if so, with what result ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) Yes ;

(b) No ;

(c) Does not arise.

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POLICE ROZNAMCHA.

**\*1301. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state whether the police roznamchas maintained at the police stations are open to inspection by the public ; if so, the procedure for inspecting them ?

<sup>1</sup>Vol. I, pages 1373—75.

<sup>2</sup>Vol. I, pages 283—89.

**Parliamentary Secretary** (SARDAR SAHIB SARDAR UJJAL SINGH):  
No.

**Pandit Shri Ram Sharma**: Is it necessary to bribe the Police for having the First Information Report recorded in the police *roznamcha*?

**Dr. Sant Ram Seth**: Does the Police ask for bribes before recording the First Information Report in the *roznamcha*?

**Parliamentary Secretary**: I am not aware of it.

#### HOUSE SEARCH IN VILLAGE KATLUHI, DISTRICT LAHORE.

**\*1302. Dr. Sant Ram Seth**: Will the Honourable Premier be pleased to state—

- (a) whether S. Sarmukh Singh, Head Constable, Police, C. I. A., Kasur, visited village Katluhi Khurd, district Lahore, on 2nd April, 1937, referred to in question No. 304 (starred) and searched several houses;
- (b) if the answer to (a) be in the affirmative, will he be kind enough to lay on the table a statement showing the full descriptions of the owners of the houses so searched;
- (c) the description of the stolen property found in each of the houses referred to in (b);
- (d) the number of the spears recovered from the different houses referred to in (b);
- (e) the persons who were taken into custody and prosecuted for burglaries and keeping in possession the spears referred to in (d) above;
- (f) the names of the persons who were convicted by the court for the offences referred to above?

**Parliamentary Secretary** (SARDAR SAHIB SARDAR UJJAL SINGH):

(a) Head Constables Sarmukh Singh visited Katluhi Khurd in the Lahore district on 2nd April 1937 and searched one house.

(b) The owner of the house was Samandu, sweeper. His full description is: Samandu, son of Phoola, of Rajoke; sallow complexion; height 5 feet, 6 inches; age 25.

(c) The suspected stolen property consisted of clothes, cloth, cakes of soap and a saddle.

(d) None.

(e) None.

(f) None.

#### COST OF ADDITIONAL POLICE POST AT VILLAGES CHEEMA AND DUBLI.

**\*1303. Dr. Sant Ram Seth**: Will the Honourable Premier be pleased to state—

- (a) whether Rs. 388-14-5 due from the inhabitants of village Cheema and Dubli in district Lahore on account of the Additional

Police Post costs referred to in question Nos. \*41<sup>1</sup> and \*395<sup>2</sup> have been waived off ;

- (b) if the answer to (a) be in the affirmative, (i) was any inquiry instituted by the Government as to the amount actually spent for maintaining the said police post ;
- (ii) the date on which the decision of waiving off the arrears was arrived at ;
- (iii) the dates of the commencement and completion of the said inquiry ;
- (iv) the amount spent by the Government for maintaining the said police post ?

**Parliamentary Secretary (SARDAR SAHIB SARDAR UJJAL SINGH) :**

(a) Yes.

(b) (i) The facts being already known—the essential figures were given to the House in the Simla session—there was no occasion for any special enquiry.

(ii) On the 16th July, 1937.

(iii) Does not arise.

(iv) The honourable member is invited to refer to the replies to his questions \*41<sup>1</sup> and \*395<sup>2</sup> in the last session.

RECOVERIES ON ACCOUNT OF ADDITIONAL POLICE POST AT  
VILLAGE JAHMAN.

**\*1304. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that according to the entries made in the recovery file (vernacular) Rs. 22,582-3-0 were recovered from the inhabitants of village Jahman, district Lahore, at the rate of Rs. 7,527-6-4 per annum as the cost of the Additional Police Post which was located there on 1st June, 1924,—vide Government notification No. 3558, dated 1st May, 1924, for a period of 3 years ;

(ii) whether it is a fact that this recovery was completed in 1932 ;

(b) whether out of Rs. 9,068-8-0 due from the inhabitants of the aforesaid village on account of the cost of the Additional Police Post located there on 26th May, 1930, Rs. 7,785-14-3 were recovered by the end of February, 1931, and the remaining unrecovered part of the cost was remitted on the 5th March, 1931 ;

(c) if the answer to (a) and (b) be in the affirmative, when the Government proposes to refund the amount of Rs. 609-15-10 realized in excess of the actual cost of the said Police Post ?

**Parliamentary Secretary (SARDAR SAHIB SARDAR UJJAL SINGH) :**  
I regret that the answer to this question is not yet ready.

<sup>1</sup>Volume I, pages 335—37.

<sup>2</sup>Volume I, pages 1373—75.

COLLECTION OF REVENUE AND ABIANA BY THE HEADMEN OF  
TURF FATTU OF VILLAGE GHARYALA.

**\*1305. Dr. Sant Ram Seth :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether his attention has been invited to a statement which was placed on the table of the House in answer to question No. \*6016<sup>1</sup> put in a session of the Punjab Legislative Council in 1936 ;
- (b) (i) if the answer to (a) be in the affirmative, will he be pleased to state why the headmen mentioned therein are allowed to have equal share of *pachotra* ; (ii) for how long this system of equal distribution of *pachotra* amongst the said headmen has been in force ;
- (c) whether it is a fact that every headman is entitled to 5 per cent. for the land revenue collections, and 3 per cent. for the *abiana* collections ;
- (d) if the answer to (c) above be in the affirmative, the steps the Government intends to take in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) The honourable member presumably refers to question No. \*6014<sup>1</sup>.

(b) (i) Under Land Revenue Rule 21 (iv) a Collector has discretion to revise the division of remuneration between lambardars.

(ii) Since Kharif, 1924.

(c) Yes, subject to the provision of Land Revenue Rule 21 (iv).

(d) Does not arise.

**Dr. Sant Ram Seth :** How many lambardars are there ?

**Minister :** I do not carry that information on my finger tips.

**Dr. Sant Ram Seth :** How much land revenue is paid by each lambardar ?

**Minister :** If my honourable friend would take the trouble of consulting the tahsil records, he will find the information required by him there.

COST OF ADDITIONAL POLICE POST AT VILLAGE VEHGAL.

**\*1306. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that according to the recovery file Rs. 6,005-8-0 per annum were recovered for successive 3 years as cost of the additional police post located at village Vehgal in district Lahore referred to in starred question Nos. 374 and 375 ;
- (b) whether the estimated cost of the said additional police post for the period of 3 years as laid down in the statement put on the table of this House in answer to question No. 30 (unstarred) was Rs. 17,422-8-0 ;

- (c) if the answer to (b) and (c) be in the affirmative, whether he proposes to refund Rs. 594 realized in excess of the costs; if so, when?

**Parliamentary Secretary (SARDAR SAHIB SARDAR UJJAL SINGH) :** (a), (b) and (c) The essential figures have already been given in reply to the earlier questions which the honourable member has himself quoted, and I do not think that I can say anything more. As was explained in the reply to question \*374,<sup>1</sup> Government are not prepared at this stage to reopen the question of these recoveries, which were completed more than ten years ago.

#### UPPER MANKA CANAL.

**\*1307. Munshi Hari Lal :** Will the Honourable Minister of Revenue be pleased to state when the Upper Manka Canal above Loharwala fall was constructed?

**The Honourable Dr. Sir Sundar Singh Majithia :** About the year 1905.

#### LOWER MANKA CANAL.

**\*1308. Munshi Hari Lal :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the total area irrigated by the Lower Manka Canal during each of the last 5 years before the construction of the Upper Manka Canal above Loharwala fall;
- (b) the total area irrigated during each of the last five years by the Lower Manka Canal?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) It is regretted the information is not available.

(b) Irrigation from the Lower Manka Canal for the last 5 years is :—

Year.	Irrigation.		
			Acres.
1932-33	..	..	22,156
1933-34	..	..	25,525
1934-35	..	..	20,344
1935-36	..	..	23,221
1936-37	..	..	26,711

**MR. CLAXTON, ENGINEER, DERA GHAZI KHAN.**

**\*1309. Munshi Hari Lal :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that Mr. Claxton after his retirement was appointed as an Engineer in the Dera Ghazi Khan district to prepare a scheme for the control of the hill torrent water;

[Munshi Hari Lal.]

(b) if the answer to (a) above be in the affirmative, how long did his service last and the total amount incurred as his salary and as the cost of his establishment ;

(c) whether any scheme was submitted by him ; if so, the action Government have taken on it ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes. He was not appointed to prepare a scheme but for the better control and development of the hill torrents, Dera Ghazi Khan district.

(b) Two years seven months and twenty-six days. Mr. Claxton was paid at the rate of Rs. 500 per mensem and the total amount incurred on his own salary comes to Rs. 15,648. Full details of all the miscellaneous expenditure incurred by him and his staff are not available here.

(c) Does not arise.

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GRIEVANCES OF PEOPLE OF THASKA MIRANJI, ETC., IN KARNAL DISTRICT, AGAINST PUBLIC WORKS DEPARTMENT.

**\*1310. Sufi Abdul Hamid Khan :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that Public Works Department entered into an agreement in 1934 with the people of villages Thaska Miranji, Dunya Mazra and Azmatpur in Karnal district where the river Markanda used to irrigate the lands that they would be supplied water without any charge through sluices provided in the banks of the new channel constructed in their lands acquired by Government free of cost ;

(b) whether it is a fact that Public Works Department authorities have not carried out the agreement thereby causing dissatisfaction among the people of the *ilaga* ;

(c) whether it is also a fact that the people concerned have several times represented to the Government and have very recently also represented their grievances in the matter ; if so, the action that the Government intends taking to help these people ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) No.

(c) Yes. The matter is under investigation.

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PUNITIVE POLICE POST AT BHADAUR IN KARNAL DISTRICT.

**\*1311. Sufi Abdul Hamid Khan :** Will the Honourable Premier please state—

(a) whether it is a fact that punitive police has recently been posted at Bhadaur in Panipat tahsil of the Karnal district ;

- (b) whether it is a fact that the Hindus of Bhadaur village beat and injured the Muhammadans including women and children of that place as a result of which about 60 Hindus of the locality have been challaned ;
- (c) whether it is a fact that not a single Hindu was injured in this fight ;
- (d) whether it is a fact that the punitive tax has been levied on both Hindus and Muhammadans of the locality ; if so, the reasons for imposing this tax on the Muhammadans as well who are mostly *kamins* and are very poor ?

**Parliamentary Secretary (SARDAR SAHIB SARDAR UJJAL SINGH) :**

(a) Yes, for a period of six months from the 1st November, 1937.

(b) and (c) It is correct that some sixty persons have been sent for trial or for security proceedings as the result of events which took place in the village on the 6th September, and that all of these are Hindus. The cases being *sub judice* I must refrain from making any comment on the facts.

(d) Yes. There had been earlier occurrences, before the 6th September, and each of the two communities must bear its share of responsibility for the communal tension which exists in the village.

#### CANAL WATER FOR TANKS IN HISSAR DISTRICT.

**\*1312. Khan Sahib Chaudhri Sahib Dad Khan :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the concession to fill tanks with the canal water free of cost has been withdrawn in the Rohtak Canal Division ;
- (b) whether it is a fact that people of all the villages on Masudpur Rajbaha in Hansi tahsil and of village Salimgarh in Hissar tahsil are experiencing great hardship in the matter of water supply for their cattle on account of the withdrawal of the above-mentioned concession ; if so, the steps the Government proposes to take in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) No.

(b) Does not arise.

#### GRANT OF POWERS TO INSPECTOR AND DISTRICT INSPECTOR OF SCHOOLS BY DISTRICT BOARD, LUDHIANA.

**\*1313. Sardar Kapoor Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that a letter No. 24-A./D. C., dated the 22nd January, 1937, from the Commissioner, Jullundur Division, was sent to the Deputy Commissioner, Ludhiana, as regards the withdrawal of powers delegated to the Inspector and District Inspector of Schools by the District Board ; if so, the action taken thereon ;

[Sardar Kapoor Singh.]

- (b) whether it is also a fact that the Government have ruled that powers once delegated by a District Board with the sanction of Government under section 19-A of the Punjab District Boards Act cannot subsequently be withdrawn even with the sanction of Government; if so, the grounds on which this ruling is based?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) Yes, and the contents of this letter were noted by the Board.

(b) Yes. Government are advised that section 19-A of the Punjab District Boards Act, 1883, as it stands, does not permit of powers once delegated being withdrawn subsequently.

**Sardar Kapoor Singh :** Under what section of the District Boards Act this order was passed?

**Minister :** Which order?

**Sardar Kapoor Singh :** That powers once delegated cannot be withdrawn.

**Minister :** I have just said it is under section 19-A of the Punjab District Boards Act, 1883.

**Sardar Kapoor Singh :** Was the advice of the Government Advocate taken at the time when the order was passed?

**Minister :** The decision is based on the advice of the legal advisers of the Government.

\*1314. (See Debates of 24th January, 1938).

#### PASSPORT OF JAGAT SINGH.

\*1315. **Master Kabul Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether he is aware of the fact that about two years ago the police took away the passport of one Jagat Singh, son of Suchet Singh, Jat, of village Litran in Jullundur district, and that this passport has not been returned so far despite repeated applications on the part of the passport holder to the police;
- (b) whether he is also aware of the fact that the said Jagat Singh has neither been accused nor convicted of any offence in this province;
- (c) if the answer to (a) and (b) or any of them be in the affirmative, whether the Government intends to take any action in the matter; if not, why not?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes. The passport was handed over by Jagat Singh to the police on demand and has since been impounded.

(b) Yes, so far as is known.

(c) The case has been referred to the Government of India and will be dealt with under their orders.

## NAMES OF POLITICAL WORKERS ON THE BLACK LIST.

**\*1316. Master Kabul Singh :** Will the Honourable Premier be pleased to state the number and names of the political workers who are entered in the black list under section 110, Criminal Procedure Code, by the police ?

**Parliamentary Secretary (K. B. Mian Ahmad Yar Khan Daultana) :** No black list is maintained by the police under section 110, Criminal Procedure Code. It is therefore not possible to answer the question.

**Lala Duni Chand :** Is it not true that members of rural Congress Committees, particularly the office holders all over the Punjab are being threatened that their names will be put in the police register X ?

**Parliamentary Secretary :** We maintain no black list. The honourable member asked whether the police had any black list and I replied that we maintain no black list.

**Lala Duni Chand :** My supplementary question does not relate to the black list. My supplementary question is quite different. I would like to repeat it. My question is whether it is not a fact that members of rural Congress Committees, particularly the office holders all over the Punjab are being threatened that their names will be put in the police register X.

**Mr. Speaker :** That question does not arise from the answer to the original question.

**Sardar Lal Singh :** Does the honourable member mean that the police keep no black list?

**Parliamentary Secretary :** I have given my answer in a very simple language.

## DISPENSARY BUILDING AT BILGA, DISTRICT JULLUNDUR.

**\*1317. Master Kabul Singh :** Will the Honourable Minister of Public Works be pleased to state—

(a) whether he is aware of the fact that the dispensary building at Bilga in district Jullundur, is invariably used by the Government servants visiting the village as a rest house ;

(b) if the answer to (a) above be in the affirmative, whether the Government intends to take any action in the matter ; if so, what ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) No Government servant has ever applied to the District Board for permission to stay in the District Board Dispensary building at Bilga, nor is it in the Board's knowledge that any Government servant has ever used this building as a rest house.

(b) Does not arise.

## PAYMENT OF LOCAL RATE AND PROFESSIONAL TAX BY THE INHABITANTS OF VILLAGE LOHAR IN JULLUNDUR DISTRICT.

**\*1318. Master Kabul Singh :** Will the Honourable Minister of Public Works be pleased to state whether he is aware of the fact that the

[Master Kabul Singh.]

inhabitants of village Lohar near Partappura, thana, tahsil and district Jullundur, pay both local rate and professional tax; if so, reasons for the same and the action the Government intends to take in the matter?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana:** Forty-nine men in village Lohar pay profession tax, and out of these, 22 men also pay local rate. The payment of profession tax cannot, however, be any ground for the non-payment of the local rate, which is a statutory obligation.

#### ABSCONDERS OF 1914-15 CONSPIRACY CASE.

**\*1319. Master Kabul Singh:** Will the Honourable Premier be pleased to state—

- (a) whether there are any absconders of 1914-15 Conspiracy Case;
- (b) whether the Government proposes to proceed against them if they surrender?

**Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana):** (a) Yes.

- (b) This will depend on the circumstances of each case.

#### REFUND OF SECURITIES TO NEWSPAPERS.

**\*1320. Lala Duni Chand:** Will the Honourable Premier be pleased to state whether it is a fact that the forfeited securities of the two newspapers, namely, *Zamindar* and *Karam Vir* have recently been ordered to be refunded; if so, whether the Government contemplates refunding the securities of other newspapers as well which were forfeited by it; if not, why not?

**Parliamentary Secretary (K. B. Mian Ahmad Yar Khan Daulatana):** No forfeited securities of the *Zamindar* and the *Karam Vir* have been refunded by Government. The second part of the question, therefore, does not arise.

**Pandit Shri Ram Sharma:** For what reasons were the securities refunded?

**Parliamentary Secretary:** I have said that no forfeited securities of the *Zamindar* and the *Karam Vir* were refunded by Government.

**Lala Duni Chand:** Is the honourable member aware of the fact that the news were published in various newspapers that their securities have been refunded?

**Mr. Speaker:** Order, order.

#### BRIBERY AND BLACK-MAILING IN VILLAGE BADYALA SINDHUAN, DISTRICT SIALKOT.

**\*1321. Lala Duni Chand:** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the Revenue Assistant, Sialkot, who was ordered to inquire into the complaints made by certain persons of the village Badyala Sindhuan, Daska tahsil, Sialkot

district, and the neighbouring villages against an organised system of bribery and black-mailing prescribed by certain influential men has found the complaints to be true ; if so, whether he will be pleased to lay the report of the Revenue Assistant in this connection on the table of the House ;

- (b) the action that has been taken or is proposed to be taken in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) and (b) The Revenue Assistant has submitted a report to the Deputy Commissioner, Sialkot, which is still under consideration.

**Lala Duni Chand :** I put the question whether the Honourable Minister will be prepared to disclose the report. In answer to that he said quite a different thing which I do not want. I want to know what is the report of the officer appointed to investigate into the complaint ?

**Minister :** I have said the Revenue Assistant submitted a report to the Deputy Commissioner, Sialkot, which is still under consideration.

**Lala Duni Chand :** Is not the Minister prepared to disclose the contents of the report ?

**Minister :** No.

**Lala Duni Chand :** Is it true that the report says that a campaign of terror has been prevailing in one part of the Sialkot district ?

**Minister :** When I say I am not prepared to disclose the report, how can I give the reply ?

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EMPLOYMENT OF POLICE REPORTERS TO TAKE DOWN THE  
SPEECHES OF HONOURABLE MR. DAS AND OTHERS.

**\*1322. Lala Duni Chand :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that on 17th December, 1937, when a public reception was given to the Honourable Mr. Das, the Premier of Orissa, the Honourable Mr. Patil, Minister of Bombay, the Honourable Mr. Giri, Minister of Madras and Lala Jugal Kishore, Parliamentary Secretary, United Provinces in Lajpat Rai Bhawan, Lahore, the police reporters were present to take down notes of their speeches and they did so actually ;
- (b) whether it has come to the notice of the Government that Dr. Gopi Chand, Bhargava, the Opposition Leader, made a pointed reference to this fact in his welcome speech made on that occasion ;
- (c) if the answers to the above be in the affirmative, the object with which the police reporters had gone to take down the notes

[Lala Duni Chand]

of the speeches of the above four honourable members of the sister Assemblies?

**The Honourable Major Sir Sikander Hyat-Khan:** (a) Police reporters were present and reported the proceedings of a meeting held on the 17th December, 1937, when some of the persons mentioned made speeches.

(b) Dr. Gopi Chand, the Opposition Leader, complained of the presence of police reporters at a meeting held on the 16th of December, 1937.

(c) It is the duty of the police to report the proceedings of public meetings and the police were carrying out their normal duties.

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CONTRACT FOR STEEL GATES FOR THE HAVELI PROJECT.

**\*1323. Rai Bahadur Binda Saran:** Will the Honourable Minister of Revenue be pleased to state whether Government has received a letter, dated 5th October, 1937, from the Northern India Chamber of Commerce, Lahore, in which the Chamber has protested against the contract for steel gates required for the Trimmu Head Works of the Haveli Project, having been given to the Public Works Department, Central Workshops, Amritsar; if so, the action that has been taken or is proposed to be taken on that letter, particularly in view of the speech by the Chairman of the Northern India Chamber of Commerce, Lahore, at the annual meeting of the Chamber held on 21st March, 1936, so far as the speech relates to undesirable Government competition with private enterprise?

**The Honourable Dr. Sir Sundar Singh Majithia:** (1) Yes.

(2) No action is proposed to be taken on that letter because Government considers that retention of the Public Works Department Central Workshops at Amritsar is necessary to deal with emergent canal works which could not be undertaken by outside firms, and that it is to the advantage of the Punjab Government if these workshops can successfully compete in an open world-wide tender for a large work such as the steel gates required for the Trimmu Headworks of the Haveli Project.

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INQUIRY INTO THE WORKING OF PUBLIC WORKS DEPARTMENT  
CENTRAL WORKSHOPS.

**\*1324. Rai Bahadur Binda Saran:** Will the Honourable Minister of Revenue be pleased to state—

(a) whether it is a fact that a committee of experts has recently been appointed by Government to report on Public Works Department, Central Workshops organisation;

(b) if so, will the Government be pleased to lay the report of the said committee of experts on the table of the House?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) No : it is not in the public interest to do so.

#### IMPROVEMENTS BY LAHORE IMPROVEMENT TRUST.

**\*1325. Rai Bahadur Binda Saran :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the improvements in the city of Lahore that have been made by the Lahore Improvement Trust since it was created ;
- (b) whether the Trust has cleared any of the numerous slums in the city, widened congested streets or provided open spaces or any other amenities in the city proper or in the civil station ;
- (c) the total amount of expenditure incurred in respect of the activities of the Trust so far ;
- (d) the pay and allowances, if any, that are paid to the Chairman and the members and the Town Planner, Sub-Divisional Officer, Secretary and other staff engaged by the said Trust ;
- (e) the schemes, if any, that have been prepared by the Trust for improving the city of Lahore and that have been sanctioned by Government ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) and (b) No schemes under the Town Improvement Act have been put into effect by the Lahore Improvement Trust. Government requested the Trust to devote its attention first of all to examining, in general, the practicability of schemes for the improvement of Lahore over the whole area, and to draw up a report showing what schemes were possible and what were the financial prospects. The Trust has made a general survey of the whole area and has drawn up a comprehensive report with a number of sample development schemes, including the probable cost and financial results. No practical steps can be taken until large sums are allotted to finance the operations of the Trust. The report is under the consideration of Government with a view to deciding whether the programme of the Trust should be approved. The Trust has also acted as the adviser of the Commissioner for drawing up town planning and building schemes under section 192 of the Municipal Act, and has done much valuable work in this connection.

(c) Rupees 94,126 up to the 31st December 1937.

(d) A statement is laid on the table giving the required information.

(e) Fifty-three building and town planning schemes have been prepared by the Trust for the Commissioner under section 192, Municipal Act, out of which 9 have been sanctioned by Government so far. In addition, a complete skeleton lay-out for the city of Lahore has been prepared by the Town Planner

## [Minister for Public Works.]

*Statement showing monthly expenditure on the pay and allowances of the staff of the Lahore Improvement Trust.*

Designation.	Pay.	Conveyance allowance.	Passage leave and Pension Contributions in the case of officers on deputation.	Total.	REMARKS.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	
Chairman ..	1,568 14 0	..	433 4 0	*2,022 2 0	
Town Planner ..	500 0 0	100 0 0	..	†600 0 0	
Sub-Divisional Officer	168 0 0	22 8 0	38 14 0	229 6 0	
Secretary ..	950 0 0	50 0 0	203 12 0	1,203 12 0	
Subordinate technical clerical and menial establishment ..	1,516 0 0	6 0 0	14 8 0	1,536 8 0	
Total ..	4,722 14 0	178 8 0	690 6 0	5,591 12 0	

\*This represents half the emoluments of the officers, the other half being contributed by the Lahore Municipality.

†In addition to his pay as Superintending Architect.

#### DIFFERENCES BETWEEN CHAIRMAN AND MEMBERS OF LAHORE IMPROVEMENT TRUST.

**\*1326. Rai Bahadur Binda Saran :** Will the Honourable Minister for Public Works be pleased to state whether he has received any report of the differences between the Chairman and some members of the Lahore Improvement Trust, which caused an abrupt closure of the meeting of the Trust convened on 11th August, 1937; and, if so, the action Government proposes to take in the matter?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** Yes, but no action by Government was called for.

#### TOWN PLANNER FOR LAHORE IMPROVEMENT TRUST.

**\*1327. Rai Bahadur Binda Saran :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether the Lahore Improvement Trust had asked for the services of a wholtime Town Planner; if so, the approximate date when a whole time Town Planner will be engaged in place of part-time Town Planner working at present;

- (b) whether the post of Town Planner of the Trust was advertised and applications from qualified persons invited ;
- (c) whether the present Town Planner of the Trust had actual experience in town planning before he was appointed in that capacity ; if so, its details ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) Yes, but they have subsequently agreed to the appointment of a part-time town planner.

(b) Yes.

(c) Yes. A statement of his experience in town planning is laid on the table.

#### *Statement.*

He is an Associate Member of the Institute of Town Planning and a Fellow of the Royal Institute of British Architects. From 1910 to 1913 he was engaged as Chief Assistant in London to Dr. H. V. Lanchester, President of the Town Planning Institute, and assisted him not only in town planning work in England but in connection with the work Dr. Lanchester was then carrying out in India. In January, 1914, Mr. Sullivan, the present Town Planner, entered the Public Works Department and his appointment is that of Superintending Architect. He is responsible for the layout of Sheikhupura and other district headquarters and for the planning of gazetted officers' residences estate in Lahore and for the built up area of the Fort lands. There are many other schemes in the Province for which he is responsible. In civic improvements, he designed the alterations to the Mall between the Lahore Museum and the University buildings and the layout of the administrative centre at Charing Cross (now under construction). He was also responsible for the layout of the Ravi Park and the Minto Park. (The latter is not yet carried out). Mr. Sullivan also assisted Professor Geddes in writing his report on Lahore for the Lahore Municipality and prepared a report on the City of Lahore Within the Walls for the Langley Committee. From April, 1925 to May, 1936, he was Secretary of the Lahore Improvement Committee, which body dealt with the town-planning of Lahore until its work was taken over by the Lahore Improvement Trust.

#### SIZE OF PLOTS OF LANDS FOR BUILDING PURPOSES.

**\*1328. Rai Bahadur Binda Saran :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that orders have been passed by the Lahore Improvement Trust prescribing the minimum size of plots of land for building purposes as 9 to 18 kanals each on important roads in the civil station ;
- (b) if the answer to (a) above is in the affirmative, the reasons why such a high minimum limit, which will make it almost impossible for middle class people to build their own houses has been prescribed ;
- (c) whether the Honourable Minister is aware of the fact that as a result of this order several plots varying from 4 to 10 kanals, which were purchased by various people in different localities during recent years, have been rendered useless ?

**The Honourable Major Nazwbzada Malik Khizar Hayat Khan Tiwana :** It is regretted that a reply to this question is not yet ready.

## PERENNIAL AND NON-PERENNIAL CANALS IN HAVELI PROJECT.

**\*1329. Sardar Hari Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the number of perennial and non-perennial canals to be taken off at Trimmu at the junction of the Jhelum and the Chenab rivers under the Haveli Project ;
- (b) the estimated discharge of water per second required to keep the perennial canals running ;
- (c) the estimated normal discharge of water per second in the month of December in the river meant to feed those perennial canals ;
- (d) how the Government proposes to make up the deficiency in the supply of water during the month of December to feed the canals ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) One non-perennial canal on the right bank and one combined perennial and non-perennial canal from the left bank.

(b) The maximum capacity of the perennial channels is 2,750 cusecs at the head of the canal.

(c) Actual discharge in the river during December for the past 15 years varied from a minimum of 1,228 cusecs in 1932 to a maximum of 9,343 cusecs in 1928.

The mean monthly discharge allowed by the Government of India for the Haveli Canals during December is 990 cusecs.

(d) During December the crops will be matured by canal water and well water. The object of limiting the canal water is to ensure that the wells will be used and not go out of commission.

**\*1330.** (*See Debates of 24th January 1938.*)

#### PROSCRIBED BOOKS.

**\*1331. Lala Deshbandhu Gupta :** Will the Honourable Premier be pleased to state—

- (a) whether the present ministry has revised the list of books proscribed by the Punjab Government so far with a view to removing the names of some books from that list ; if so, with what result and if not, whether it proposes to revise that list now ;
- (b) whether it has come to the notice of the Government that the United Provinces Government has removed the ban on the publication of the book named " Bharat Men Angrezi Raj ", if so, whether the Government proposes to remove that book from its list of proscribed books ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) Government has not so far revised the list of proscribed books.

(b) Yes. The book is no longer on the list of proscribed books.

## ARRESTS IN PUNJAB FOR POLITICAL OFFENCES.

**\*1332. Lala Deshbandhu Gupta :** Will the Honourable Premier be pleased to state—

- (a) the number and names of persons arrested and challaned in each district for political offences from 1st April, 1937, up to 15th December, 1937, and also the number and names of persons arrested and challaned for similar offences during the same period last year ;
- (b) number and names of persons on whom restraint orders were served during this period ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) If the honourable member will please indicate what he means by the term 'political offences,' the information asked for will be supplied.

(b) Fifteen between 15th January 1937 and 15th December 1937. It is not in the public interest to give names.

## RETURNING OF SECURITIES OF NEWSPAPERS.

**\*1333. Lala Deshbandhu Gupta :** Will the Honourable Premier be pleased to state—

- (a) whether the present Government have returned the security of any of the newspapers in the Punjab since they assumed office ; if so, the names of such newspaper ;
- (b) whether it is a fact that securities of some of the papers have not been returned so far ; if so, when Government propose to return their securities ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) Yes. Of the *Zamindar* and the *Karam Vir*.

(b) Yes. It is impossible to say when their securities will be refunded.

## CARNIVAL COMPANIES.

**\*1334. Lala Deshbandhu Gupta :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that Carnival Companies are required to secure permission from Deputy Commissioners or District Superintendents of Police of the districts concerned to hold their shows in any town in the province ;
- (b) if so, the restrictions that are imposed on them by the district authorities ;
- (c) the measures that are taken by the authorities to safeguard against the abuse of the privilege so granted to the Carnival Companies ;
- (d) whether Government are aware of the fact that generally these companies indulge in encouraging open gambling under the garb of games of skill much to the detriment of the poor people who fall an easy prey to their subtle methods of gambling ; if so, whether Government have ever considered or propose to consider the question of refusing permission to such companies in future in order to put a check to this evil ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) No. (b) and (c) Do not arise.

(d) Government are aware of the abuses sometimes connected with these Carnivals. The suggestion has been made on at least one occasion that legislation should be introduced prohibiting them except under licence, but hitherto the view has been taken that the Penal Code and the Gambling Act give district officers adequate powers to deal with abuses. Police arrangements already exist for keeping track of undesirable shows and of individual managers with bad reputations. If the honourable member and his party feel that stronger measures are necessary by way of fresh legislation or otherwise, Government will be most glad to receive their suggestions.

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METHODS OF REALISATION OF DEBTS EMPLOYED BY TRANSBORDER  
MONEY-LENDERS.

**\*1335. Lala Deshbandhu Gupta :** Will the Honourable Finance Minister be pleased to state whether Government are aware of the fact that the Transborder money-lenders in the Punjab generally take the law in their own hands and harass the poor debtors who fail to fulfil their obligation to the extent that the latter are sometimes obliged to commit suicide; if so, the action that Government propose to take to fight this nuisance?

**The Honourable Mr. Manohar Lal :** The methods of the Pathan money-lenders are described in paragraph 108 (c) of the Majority Report of the Indian Central Banking Inquiry Committee, 1931. No special measures are at present contemplated, but if the honourable member has any suggestions to put forward Government would be most glad to receive them.

No cases of suicide by victims of these money-lenders seems to have been reported.

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REVISED TERMINAL TAX SCHEDULE CANTONMENT BOARD,  
AMBALA.

**\*1336. Lala Deshbandhu Gupta :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the action, if any, that has been taken on the revised terminal tax schedule which was submitted to Government by the Cantonment Board, Ambala Cantonment, early in 1934 for sanction;
- (b) whether Government are aware of the fact that great hardship is being caused to the commercial community of Ambala owing to the delay in enforcing the revised schedule;
- (c) the date from which the revised schedules will be enforced?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** This has been answered in the reply to question No. \*1252<sup>1</sup>, taken with that given to question No. \*22<sup>2</sup> in the Simla Session.

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<sup>1</sup>Page 604, ante.

<sup>2</sup>Volume I, pages 257-58.

## WORKING OF PURE FOOD ACT.

**\*1337. Lala Deshbandhu Gupta :** Will the Honourable Minister for Education be pleased to state—

- (a) the number of municipalities within the limits of which the provisions of the Pure Food Act are in force at present ;
- (b) whether it is a fact that the results obtained so far after the enforcement of the provisions of the said Act are far from satisfactory ; if so, what steps Government intend to take in the matter ?

**The Honourable Mian Abdul Haye :** (a) 44.

(b) 6,080 samples of food were examined from January to September 1937, in the areas to which the Punjab Pure Food Act has been extended, out of which 1,461 were detected adulterated and suitable legal action was taken against the offenders. Efforts are being made constantly to enforce the provision of the Act.

## DUTIES OF A PARLIAMENTARY SECRETARY.

**\*1338. Khawaja Ghulam Husain :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that the Parliamentary Secretaries are not permitted to deal with administrative work of any kind ;
- (b) if so, the duties of a Parliamentary Secretary as assigned by Government ?

**The Honourable Major Sir Sikander Hyat-Khan :** The attention of the honourable member is invited to the answer given to question No. \*939<sup>1</sup> in which the duties of the Parliamentary Secretaries have been outlined.

## A POSTER "SHEHR KE SUFAID HATHI".

**\*1339. Khawaja Ghulam Husain :** Will the Honourable Minister of Public Works be pleased to state whether his attention has been drawn to a poster under the heading "Shehr ke Sufaid Hathi" (white elephants of the town) recently published by Sardar Gurbakhsh Singh, Municipal Commissioner, Ludhiana ; if so, whether the Government are prepared to take any action in respect of the allegations made in that poster ; if not, why not ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** The attention of Government has not been drawn to the poster concerned.

## PREFERENCE TO RETRENCHED SERVANTS IN NEW RECRUITMENT.

**\*1340. Khawaja Ghulam Husain :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether any instructions have been issued by Government to the effect that preference should be given to retrenched Government servants while recruiting new employees ;

[Kh. Ghulam Husain.]

- (b) whether it is a fact that in all new recruitments to the Haveli Project preference is being given to retrenched Government servants in spite of the fact that they do not happen to possess even the minimum academic qualifications necessary for the appointments ; if so, what action do the Government propose to take to see that the instructions mentioned in (a) above are carried out by all the heads of departments ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) No.

(b) (i) No.

(ii) Does not arise.

**\*1341.** (See Debates of 24th January, 1938.)

IMPORTATION OF UNLICENSED FIRE ARMS FROM BIKANER  
STATE.

**\*1342. Lieutenant Sodhi Harnam Singh :** Will the Honourable Premier be pleased to state—

- (a) whether it has come to the notice of Government that unlicensed arms are being imported to Ferozepore district ;
- (b) the number of dacoities that took place in Ferozepore district in the last 5 years ;
- (c) the number of people assaulted by the dacoits and the number of those who were killed by them during the last 5 years in the said district ;
- (d) the approximate value of the booty those dacoits carried away ;
- (e) the number of cases in which dacoities were traced out and the culprits punished ;
- (f) the number of firearms captured in the last 5 years in the said district ;
- (g) whether the Government tried to find out from where these arms were brought ;
- (h) the steps the Government took to stop the importation of unlicensed arms ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) and (g) A number of Indian States abut on the Ferozepore district, and this inevitably complicates the administration of the Arms Act to some extent. The honourable member probably has in mind the importation of arms from the Bikaner State. This has sometimes constituted a problem, but I should like to make it clear that the Punjab Government are greatly indebted to the Bikaner Government for their readiness to cooperate in the checking of abuses.

(b) 93.

(c) Assaulted 201 : killed 14.

(d) Rs. 73,800.

(e) 42.

(f) 396.

(h) Government will continue to enforce the law, and they have no doubt that they will have all possible help from the States in doing so.

CATTLE LIFTING THEFT AND BURGLARY IN FEROZEPORE  
DISTRICT.

**\*1343. Lieutenant Sodhi Harnam Singh:** Will the Honourable Premier be pleased to state—

- (a) the number of cattle lifting, theft and burglary cases that took place in the Ferozepore district during the last 5 years ;
- (b) the number of these cases which were traced out and in which culprits were punished ;
- (c) reasons why the rest of the cases were not traced out ;
- (d) in how many cases the police tried to find out finger prints of the thieves and burglars by dusting such articles as might have been touched by them at the time of burglary ?

**The Honourable Major Sir Sikander Hyat-Khan:** (a) and (b). A statement is laid on the table.

(c) Evidence was not available.

(d) Finger-prints were found in two cases only.

*Statement.*

Year.	(a).			(b).		
	CASES REGISTERED.			CASES TRACED AND CONVICTED.		
	Cattle-lifting.	Theft.	Burglary.	Cattle-lifting.	Theft.	Burglary.
1933 .. ..	85	348	720	41	158	124
1934 .. ..	88	297	751	34	151	145
1935 .. ..	88	303	692	49	169	192
1936 .. ..	65	281	536	38	180	152
1937 .. ..	90	306	588	45	152	130

ABSCONDERS.

**\*1344. Lieutenant Sodhi Harnam Singh:** Will the Honourable Premier be pleased to state districtwise the number of absconders in the province and the steps that are being taken to round them up ?

**The Honourable Major Sir Sikander Hyat-Khan:** A statement is laid on the table. In most districts special staffs have been formed to collect and collate information regarding absconders and proclaimed

[Premier.]

offenders and to carry out surprise raids. The following sentences reproduced from the Report on Police Administration in the Punjab for the year 1936 will show that these measures have not been without result :

The percentage of arrests during the year to the total number of proclaimed offenders at large was 48.5 as compared with 45.6 in 1935, while the percentage of persons proclaimed during the year who were arrested was 48.1 as compared with 45.4. This general increase is satisfactory. In Ferozepore, where 207 arrests were made during the year, the percentage of offenders arrested in the year of proclamation was as high as 70.1, while a number of other districts also showed satisfactory figures.

The honourable member is further invited to see the series of Annual Police Reports, which contain a quantity of interesting information on the subject.

*Statement.*

District.					Number of absconders and proclaimed offenders.
Hissar	..	..	..	..	350
Rohtak	..	..	..	..	57
Gurgaon	..	..	..	..	136
Karnal	..	..	..	..	71
Ambala	..	..	..	..	114
Simla	..	..	..	..	7
Hoshiarpur	..	..	..	..	85
Jullundur	..	..	..	..	86
Ludhiana	..	..	..	..	205
Kangra	..	..	..	..	27
Ferozepore	..	..	..	..	397
Lahore	..	..	..	..	503
Amritsar	..	..	..	..	325
Gurdaspur	..	..	..	..	139
Sialkot	..	..	..	..	116
Gujranwala	..	..	..	..	135
Sheikhupura	..	..	..	..	66
Montgomery	..	..	..	..	312
Lyallpur	..	..	..	..	135
Jhang	..	..	..	..	52
Multan	..	..	..	..	127
Muzaffargarh	..	..	..	..	33
Dera Ghazi Khan	..	..	..	..	73
Gujrat	..	..	..	..	104
Shahpur	..	..	..	..	86
Jhelum	..	..	..	..	41
Rawalpindi	..	..	..	..	40
Attock	..	..	..	..	53
Mianwali	..	..	..	..	48
Government Railway Police	..	..	..	..	34
Total					3,957

DEPUTY SUPERINTENDENT OF POLICE AND PANIPAT RIOT.

\*1345. **Lieutenant Sodhi Harnam Singh** : Will the Honourable Premier be pleased to state—

(a) whether any inquiry was instituted against the Deputy Superintendent of Police who was in charge of the police force at the time of the last communal riot at Panipat ; if so, what were the findings of the inquiry ;

- (b) whether any departmental action has been taken against the said Deputy Superintendent of Police?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) and (b) Yes. An enquiry was held by the Deputy Inspector-General of Police, Central Range, as a result of which Government directed that the Deputy Superintendent of Police should be censured, and that his increment should be withheld for one year without having the effect of postponing future increments.

GOVERNMENT SERVANTS WHO WERE GRANTED EXTENSIONS IN THEIR SERVICE.

**\*1346. Lieutenant Sodhi Harnam Singh :** Will the Honourable Premier be pleased to state—

- (a) in respect of the whole province the names of the Government servants and the departments in which they are serving who have been given extension of service and also the circumstances which necessitated the grant of this extension ;
- (b) the number of the representations made by the junior public servants protesting against such extensions ; if so, the orders passed on them ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) A statement, showing the number of Government servants and the departments in which they are serving who were granted extensions of service during 1936-37, is laid on the table. These extensions were granted in the public interest as the rules demand.

(b) The information is not readily available and its collection will involve an expenditure of time and labour out of all proportion to the results to be obtained.

*Statement showing the extensions given to Government servants during 1936-37.*

Serial No.	Head of Department.	Number of non-ministerial Government servants granted extensions after the age of 55 years.	Number of ministerial Government servants granted extensions after the age of 60 years.
1	Inspector-General of Prisons, Punjab..	1	..
2	Financial Commissioners ..	2	..
3	Director of Veterinary Services ..	1	..
4	Superintendent, Government Printing ..	1	..
5	Director of Public Health ..	1	..
6	Director of Land Records ..	17	..
7	Inspector-General of Civil Hospitals, Punjab ..	3	..
8	Director of Public Instruction, Punjab ..	1	..
9	Registrar, Co-operative Societies ..	1	..
10	Commissioner, Rawalpindi division ..	3	..
	Total ..	30	..

RECRUITMENT FOR PROVINCIAL AND SUBORDINATE SERVICES OF  
POLICE AND JUDICIAL DEPARTMENTS.

**\*1347. Sufi Abdul Hamid Khan :** Will the Honourable Premier be pleased to state—

- (a) the number of agriculturists who have been recruited so far in the provincial and subordinate gazetted services of the police and judicial departments from the Ambala division since the inauguration of Montague-Chelmsford Reforms ;
- (b) the number of those among them who are Muslim agriculturists with the names of districts to which they belong ;
- (c) the steps the Government intends to take to give proper representation in these services to the agriculturists of those districts which are under-represented at present ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) and (b) To collect the full figures required by the honourable member would entail an expenditure of time and labour out of all proportion to the result to be obtained. The essential facts regarding the proportions of agriculturists and non-agriculturists in the services are already published in the consolidated statements which are supplied to members each year.

(c) It would scarcely be practicable, in recruiting the gazetted services, to reserve vacancies for particular divisions or districts and no scheme of that kind is contemplated.

PROVINCIAL AND SUBORDINATE SERVICES IN REVENUE AND EXCISE  
DEPARTMENTS.

**\*1348. Sufi Abdul Hamid Khan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the number of agriculturists who have so far been recruited in the provincial and subordinate services of the Revenue and Excise departments from Ambala division since 1921 ;
- (b) the number of those among them who are Muslim agriculturists with the names of districts to which they belong ;
- (c) the steps the Government intends to take to give proper representation in these services to the agriculturists of those districts which are under-represented at present ?

**The Honourable Dr. Sir Sunder Singh Majithia :** (a and b) The information in regard to subordinate services is not readily available and the amount of time and labour involved in its collection would not be commensurate with the results obtained.

(c) As regards tahsildars and naib-tahsildars, the rules already provide that of the total number of candidates selected 66 per cent. shall belong to the zamindar classes, provided that a sufficient number of zamindars possessing the requisite educational qualifications are forthcoming. Similarly, at least half of the candidates selected as patwaris must belong to notified agricultural tribes.

As regards the Excise department, the prescribed ratio of 50 per cent. agriculturists in the province has been maintained and that no further steps are necessary.

PROVINCIAL AND SUBORDINATE SERVICES IN AGRICULTURE, VETERINARY AND INDUSTRIES DEPARTMENTS.

**\*1349. Sufi Abdul Hamid Khan :** Will the Honourable Minister of Development be pleased to state—

- (a) the number of agriculturists who have so far been recruited in the provincial and subordinate services of the departments of Agriculture, Co-operative Societies and other departments under him from the Ambala division since 1921 ;
- (b) the number of those among them who are Muslim agriculturists with the names of the districts to which they belong ;
- (c) the steps the Government intends to take to give proper representation in these services to the agriculturists of those districts which are under-represented at present ?

**The Honourable Chaudhri Sir Chhotu Ram :** (a) 83 and 28 agriculturists were recruited in the provincial and subordinate services of the Departments of Agriculture and Veterinary, respectively, from the Ambala division since 1921. Figures relating to the departments of Co-operative Societies and Industries will be supplied to the honourable member when they have been received.

(b) 21 Muslims agriculturists were recruited in the department of Agriculture as follows :—

- (1) eight from Ambala,
- (2) four from Karnal,
- (3) three from Rohtak,
- (4) six from Gurgaon.

Ten Muslim agriculturists were recruited in the Veterinary department as follows :—

- (1) three from Karnal,
- (2) three from Hissar,
- (3) two from Ambala,
- (4) one from Gurgaon,
- (5) one from Rohtak.

(c) No proportions have been laid down for recruitment from various divisions. But if any marked inequalities are found to exist endeavours will be made, subject to considerations of efficiency, to relieve such inequalities, provided that duly qualified candidates are forthcoming from under-represented divisions.

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LAWRENCE STATUE ON THE MALL, LAHORE.

**\*1350. Lala Deshbandhu Gupta :** Will the Honourable Premier be pleased to state—

- (a) whether he is aware of the strong public feeling against keeping the statue of Lord Lawrence on the Mall of Lahore ;

[L. Deshbandhu Gupta.]

- (b) whether he is aware of the fact that the presence of the statue on the Mall has been the cause of the arrest of a number of young men who offered Satyagrah for its removal; if so, the action that Government propose to take in the matter with a view to respecting the public sentiment in this respect?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) I am not aware that there is any strong public feeling in the matter.

(b) A few arrests were necessary some years ago. The original inscription to which objection was taken by some sections of the public was changed by Government in 1926. No further action is contemplated by Government.

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RELEASE OF KALICHDHAN AND AMAR NATH PRISONERS.

**\*1351. Lala Deshbandhu Gupta :** Will the Honourable Premier be pleased to state whether it is a fact that Mr. Kalicharan and Amar Nath, two Congress workers, have been recently convicted by a Ludhiana court for having delivered speeches in connexion with the Lahore Abattoir agitation; if so, whether Government intends to set such prisoners free now that the Central Government has thought fit to abandon the scheme itself?

**The Honourable Major Sir Sikander Hyat-Khan :** No persons of the names of Mr. Kalicharan and Amar Nath have been convicted recently by a Ludhiana court.

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SHORT NOTICE QUESTION AND ANSWER.

TORTURE BY POLICE OF HAZARA SINGH, A DACOIT.

**Lieutenant Sardar Naunihal Singh Man :** Will the Honourable the Premier be pleased to state—

- (a) whether the specific matter raised by Sardar Partap Singh, M.L.A., in the adjournment motion of which he had given notice, that is "the torture of one Sikh Hazara Singh of village Gjarka, district Amritsar, by pulling out hair from his beard and moustaches by the Police after his arrest in January, 1938," is true;

- (b) if the answer to the above be in the negative, what are the true facts of the case?

**Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) :**  
(a) No. The allegations are baseless and are probably made as a counter-complaint because while Hazara Singh was being searched on his arrest before being put in the lock-up, he bit the finger of a constable to the bone.

(b) Hazara Singh dacoit was wanted in three dacoities in the course of which fire-arms are alleged to have been used, and one kidnapping with robbery. In one of these cases Hazara Singh and one of his companions are alleged to have waylaid a young girl of Dhillon while she was on her way to visit a relation to village Khadoor Sahib. They are alleged to have

robbed her and to have taken her to a village in Police Station Patti where they kept her for over ten days during which period she was frequently raped. She eventually managed her escape. It has further been reported that this Hazara Singh dacoit is an uncle of one Uttam Singh with whom the sister of Sardar Partab Singh, M.L.A., the mover of this adjournment motion is reported to have been married.

**Sardar Hari Singh :** Sir, I refer you to the answer given by the Parliamentary Secretary, in which he has cast a slur and a reflection on the mover of the adjournment motion Sardar Partab Singh by stating that a certain person was a relation of Sardar Partab Singh. Where was the necessity of bringing in the name of Sardar Partab Singh ?

**Mr. Speaker :** That could and should have been avoided.

**Minister :** If there are certain facts, are they to be avoided ?

**Pandit Shri Ram Sharma :** On a point of order. Can questions in that fashion be also put ?

### UNSTARRED QUESTIONS AND ANSWERS.

#### STEPS FOR UPLIFTING THE BACKWARD CLASSES.

**265. Chaudhri Prem Singh :** Will the Honourable Premier be pleased to state the steps the Government has taken so far for uplifting the backward classes ?

**The Honourable Major Sir Sikander Hyat-Khan :** I regret that the reply to this question is not yet ready.

#### CLERKS WHO APPLIED FOR LEAVE DURING 1987 TO DEPUTY COMMISSIONER, FEROZEPORE.

**266. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Revenue be pleased to lay on the table a statement showing the names and posts of clerks of Deputy Commissioner's office, Ferozepore, who applied for leave during the year, 1987, with reasons for applying for leave, the orders of the Deputy Commissioner, Ferozepore, on their application with reasons for those orders and in case of refusal on account of a leave reserve not being available, the places where all leave reserves were posted at the time ?

**The Honourable Dr. Sir Sundar Singh Majithia :** A statement<sup>1</sup> containing the required information is laid on the table.

#### CLERKS OF DEPUTY COMMISSIONER'S OFFICE, FEROZEPORE WHO WERE GIVEN CHARGE SHEETS DURING YEAR, 1987.

**267. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Revenue be pleased to lay on the table a statement showing the names and posts of the clerks of the Deputy Commissioner's office, Ferozepore, who were given charge sheets during the year, 1987, with the result of the same ?

<sup>1</sup>Kept in the Library.

**The Honourable Dr. Sir Sundar Singh Majithia :** A statement<sup>1</sup> containing the required information is laid on the table.

DEPUTY COMMISSIONER'S OFFICE, FEROZEPORE.

**268. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Revenue be pleased to lay on the table a statement showing the names of candidates for clerkship in the office of the Deputy Commissioner, Ferozepore, who are on the waiting list, and state whether they have ever been given a chance to officiate ; if so, the dates of their officiating appointments and the manner in which they were selected for such appointments ?

**The Honourable Dr. Sir Sundar Singh Majithia :** I regret that the answer to this question is not yet ready.

PROTECTION OF NORTHERN PARTS OF DERA GHAZI KHAN AGAINST TRIBAL RAIDS.

**269. Khan Bahadur Sardar Muhammad Hasan Khan Gurchani :** Will the Honourable Premier be pleased to state whether the Government is aware that the people of northern parts of district Dera Ghazi Khan are in constant danger of being ransacked by *Sarhadi* raiders ; if so, the steps the Government intends to take in this connexion ?

**The Honourable Major Sir Sikander Hyat-Khan :** Government is aware that the area in question is occasionally visited by trans-border raiders, but is not aware that any drastic changes in the existing arrangements for its protection are required.

CATTLE GRAZING TAX IN DHUNDHI ESTATE.

**270. Khan Bahadur Sardar Muhammad Hasan Khan Gurchani :** Will the Honourable Minister for Revenue be pleased to state since when the new cattle-grazing tax has been imposed in Dhundhi estate, in tahsil Rajanpur, district Dera Ghazi Khan, and the total annually realized amount of this tax ?

**The Honourable Dr. Sir Sundar Singh Majithia :** Kharif 1935. The total amounts annually realized are :—

Year.	Amount.		
	Rs.	A.	P.
1934-35 .. .. .	2,692	2	0
1935-36 .. .. .	4,449	6	0
1936-37 .. .. .	4,595	10	0
1937-38 .. .. .	4,258	2	0

DAJAL WATER SUPPLY SCHEME.

**271. Khan Bahadur Sardar Muhammad Hasan Khan Gurchani :** Will the Honourable Minister for Education be pleased to state—

(a) the approximate cost of the Dajal Water Supply Scheme ;

- (b) the progress Government have made in the matter of the materialization of this scheme?

**The Honourable Mian Abdul Haye :** (a) The approximate cost of the Dajal Water Supply Scheme prepared by the Irrigation Engineer (Hill Torrents), Dera Ghazi Khan and submitted by the Commissioner, Multan division, is Rs. 78,710.

(b) This scheme is under consideration of the Superintending Engineer, Public Health Circle, Punjab, and, if regarded as practicable from a technical point of view, will be considered by the Sanitary Board, Punjab.

#### KASHMORE-DERA GHAZI KHAN ROAD.

**272. Khan Bahadur Sardar Muhammad Hasan Khan Gurchani :** Will the Honourable Minister for Public Works be pleased to state whether there is a proposal to connect Rojhan, Rajanpur and Dera Ghazi Khan by a pacca road from Kashmore to Dera Ghazi Khan?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** Yes, such a proposal exists but it is too early to give any assurance that the proposal will materialise or not. The road development programme of the province is under preparation and its details have not been worked out fully as yet.

#### DAMAGE TO CROPS IN ILAQA PACHAD, DERA GHAZI KHAN.

**273. Khan Bahadur Sardar Muhammad Hasan Khan Gurchani :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether the Government is aware of the fact that the crops of the zamindars of *ilaqa* Pachad in Dera Ghazi Khan district (the areas dependent on rain and hill-torrents) have been greatly damaged by draught and pest during 1937;
- (b) if the answer to (a) above be in the affirmative, the steps the Government have taken or intends to take to give relief to the said zamindars?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes. Damage has been done by drought and severe cold in parts of *ilaqa* Pachad.

(b) Rupees 25,879 have been suspended in this *ilaqa* out of the land revenue demand for Kharif 1937.

#### STALLIONS IN DISTRICT OF DERA GHAZI KHAN.

**274. Khan Bahadur Sardar Muhammad Hasan Khan Gurchani :** Will the Honourable Minister for Development be pleased to state the reasons why the Government has reduced the number of stallions kept for breeding in the veterinary hospitals in the district of Dera Ghazi Khan?

**The Honourable Chaudhri Sir Chhotu Ram :** I regret that the answer to this question is not yet ready.

## RIGHT OF PARLIAMENTARY SECRETARIES AND PRIVATE SECRETARIES TO ASK QUESTIONS AND TO MOVE RESOLUTIONS AND BILLS.

**Mr. Speaker :** Yesterday was raised the question whether a parliamentary private secretary can ask questions, move resolutions or Bills on days other than those fixed for Government business. I am of the opinion that they can, inasmuch as they are said to have absolutely no hand in administrative matters. Their functions are more or less non-political. They are assistants to Ministers and keep them in touch with the members of the Assembly. But parliamentary secretaries cannot move resolutions or Bills on days fixed for business other than Government business.

**Pandit Muni Lal Kalia :** What do you mean by social duties that are performed by them so far as the Ministers are concerned ?

**Sardar Muzaffar Ali Khan Qizilbash :** The fact remains that they are paid members of Government. How can paid parliamentary private secretaries be not a part of a Government ?

**Mr. Speaker :** Their duties are such that they cannot be said to be members of Government. Besides, they are not paid fixed salaries. Like other members, they are given an allowance only.

**Dr. Shaikh Muhammad Alam :** The question which was asked by my honourable friend as to what is meant by social duties has not been answered yet.

**Premier :** It means that they have to keep in touch with the honourable members opposite and on this side of the House.

## THE PUNJAB UNEMPLOYMENT INSURANCE BILL.

**Mr. Speaker :** Motion No. 1 on the agenda is about the introduction of the Punjab Unemployment Insurance Bill. An identical motion was made at the Simla session and turned down by the House. According to our rules a motion cannot be repeated in the same session without the permission of the Speaker. That permission has not been sought or obtained. Therefore, the motion is out of order. Had permission been asked, I would have been obliged to refuse it, not because I do not like to see that Bill before the House ; but because there are so many Bills, of which other members have given notices, that it would be highly unjust to allow the same Bill to be moved twice in the same session and not to give an opportunity to the introduction of other Bills.

## THE PUNJAB HOURS OF WORK BILL.

**Dr. Shaikh Muhammad Alam** (Rawalpindi Division Towns, Muhammadan, Urban) : I beg to move—

That leave be granted to introduce the Punjab Hours of Work Bill.

**Mr. Speaker :** Motion moved is—

That leave be granted to introduce the Punjab Hours of Work Bill.

**Minister for Development :** I object to leave being granted.

**Dr. Shaikh Muhammad Alam :** I did not even expect to take ten minutes for asking leave for the introduction of this Bill. I originally hoped that the Treasury benches in this case would not oppose the introduction of a Bill so sane and so humanitarian in itself. The Treasury benches with all those professions of goodwill and sympathy with the labour class and the poorer classes in this province would not be justified really to maintain their position in opposing a Bill of the nature for which I beg leave to introduce. My hope is not realised and with your permission I may convey to the benches on the other side a warning perhaps that if they continue to have their coercive majority to prevent the minority from bringing such Bills and such resolutions for discussion in this House, this coercion which is being played by them will soon go against themselves and we shall have also to adopt perhaps stronger measures.

**Mr. Speaker :** Will the honourable member please speak to the motion, that is to say, the object of the Bill and the principles underlying it ?

**Dr. Shaikh Muhammad Alam :** The objects and reasons of the Bill do not require me to dilate very long upon them and they are very concisely given in the annexure to the Bill itself. All that it requires for me to say at the present time after seeing that even a Bill of that nature is being opposed by the other side is that the opposite benches are not prepared to listen to any sane reasoning or argument on the point and so I would not waste any further reasoning before them.

**Minister for Development** (The Honourable Chaudhri Sir Chhotu Ram) : Sir, the honourable mover of the motion has stated that he has been prompted to move this Bill out of a feeling of human sympathy for the poorer section of the community and he makes an appeal to the Treasury benches that they should be prompted by the same feeling. Frankly, so far as the question of sympathy is concerned, I am glad to say that, within limits of reason, the Treasury benches have just as much sympathy for the poor as the Opposition claims to have, but if any measure exceeds the bounds of reason, the Treasury benches are bound to oppose that measure. (*A Voice :* What is the criterion ?) If my honourable friend will just wait he will have the reasons which have led me to oppose this motion. The two main propositions contained in the Bill are (1) that a working week should be limited to 40 hours only, and (2) that after this Bill has been enacted into law and enforced, the scale of wages to be fixed should not be lower than what it was on the 1st of May, 1937. These two proposals are likely to have a very serious effect on the progress of industries in the province.

We should not forget that the Punjab industrially is not a very advanced province. If we compare our own province with other provinces in India, we shall find that, industrially, we probably occupy the fourth or fifth place. Bombay, Bengal and Madras are definitely more advanced than the Punjab. Therefore, even apart from considerations which should lead us to have longer hours of work in India as a whole, we should make a special allowance for our own province in view of the inadequate industrial progress that has been made in this province. The House will probably be interested to know that in 1935 a meeting of the International Labour Conference was held at Geneva. At this Conference no less than 52 countries were represented.

[Minister for Development.]

A proposal to limit the hours of work in a week to 40 was taken up at this Conference and I may inform the House that with the exception of one country no other country agreed to have a week of only 40 hours. No less than 52 States were represented at Geneva in 1935. A very large number of those States were industrially twenty times more advanced than India as a whole, and yet at that Conference with the exception of just one State no other State agreed to limit the hours of work in a week to 40. That is one of the reasons why I am opposed to leave being granted for the discussion of this measure.

Again, Sir, I may draw the attention of the House to the fact that the Central Assembly passed the Factories Act in 1934. We all know that advanced views are fairly well represented in the central legislature and even that legislature fixed the number of hours per week at 60 in the case of seasonal factories and 56 in the case of certain others and 52 in the case of the rest. So far we have not gained sufficient experience of the working of that Act. Can we say that within the short span of just two or three years we have come to the definite conclusion that the hours fixed for a week in the Act passed by the central legislature have resulted in any very serious hardship to labourers? No complaints have so far been heard and yet it is proposed by the honourable mover that we in the Punjab should limit the working hours in a week to just 40. Again, I may draw the attention of honourable members to the Report of the Royal Commission on Labour in India. On that Commission we had very redoubtable members representing the interests of labour. Mr. N. M. Joshi was one of the members of that Commission and Diwan Chaman Lall, an honourable member of this House, himself served on that Commission. Both these gentlemen enjoy international reputation in matters of labour. The general consensus of opinion reached by that Commission was in favour of 54 hours of work per week. Even these two gentlemen, Diwan Chaman Lall and Mr. N. M. Joshi, suggested a week of 48 hours. How can it be said in reason that we should limit the working hours in a week only to 40 in these circumstances?

**Dr. Shaikh Muhammad Alam :** You can have an amendment on that point.

**Minister for Development :** It is not a question of amendment. Let the present law have a fair trial first. Then, Sir, we should wait for provinces like Bombay, Bengal and Madras to give a lead in matters of labour legislation. As I suggested in the beginning, these provinces are definitely more advanced industrially than the Punjab. What have they done so far? Nothing in this direction. If they are convinced that the present hours of work fixed for a week are really a hardship to the labouring classes they may for sure, be expected to bring forward legislation to reduce the number of hours of work per week. If those provinces have not thought it necessary so far to bring up any legislation before their legislatures, I think it would be premature for the Punjab to bring forward any such legislation.

**Lala Duni Chand :** Punjab leads in all matters.

**Minister for Development :** We do not desire to lead in this matter. If those provinces undertake any legislation on the lines suggested by the honourable mover of this motion—I do not promise that we will necessarily follow them—we will certainly take into serious consideration the possibility of doing something similar in this province.

**Dr. Shaikh Muhammad Alam :** Your Government profess to be more sympathetic.

**Minister for Development :** Greater sympathy on the part of the Government does not mean that we should undertake legislation which will result in killing the hen which is expected to lay the proverbial golden eggs. Let us not forget that the Punjab is a backward province in the matter of industrial growth. If you limit the hours of work just to 40, then what will happen to those who are just now beginning to invest their capital in the promotion of industries? Capital is proverbially shy throughout India; it is equally shy in the Punjab if not more shy. Are we to drive this capital underground by making conditions of industrial advance difficult for capitalists? Let us not forget that we have to compete not only with Bombay, Bengal and Madras in our own country but we have also to compete with foreign countries which have had a lead of a whole century in some cases. In the Punjab labour is neither very skilled nor very efficient. In Japan labour is very efficient, hours of work are longer than in this country, and yet labour in Japan is very, very cheap. Those who have any knowledge of Japan say that Japan labour is distinctly more efficient even than English labour, even than German labour. Let us not forget that we have to compete with Japan. A province which has just made a beginning in the way of industrial development should not undertake legislation which may prove fatal to the growth of its industries.

**Mr. Speaker :** The question is—

That leave be granted to introduce the Punjab Hours of Work Bill.

*The Assembly divided : Ayes 27 : Noes 92.*

#### AYES.

Ajit Singh, Sardar.  
Bhagat Ram Choda, Lala.  
Bhagat Ram Sharma, Pandit.  
Bhim Sen Sachar, Lala.  
Chanan Singh, Sardar.  
Duni Chand, Lala.  
Gopi Chand Bhargava, Dr.  
Hari Lal, Munshi.  
Hari Singh, Sardar.  
Harjab Singh, Sardar.  
Kabul Singh, Master.  
Kapoor Singh, Sardar.  
Kartar Singh, Chaudhri.  
Kartar Singh, Sardar.

Kishan Singh, Sardar.  
Muhammad Alam, Dr. Shaikh.  
Muhammad Hassan, Chaudhri.  
Muhammad Iftikhar-ud-Din, Mian.  
Muni Lal Kalia, Pandit.  
Prem Singh, Mahant.  
Raghubir Kaur, Shrimati.  
Rur Singh, Sardar.  
Saif-ud-Din Kitchlew, Dr.  
Sant Ram Seth, Dr.  
Shri Ram Sharma, Pandit.  
Sohan Singh, Josh, Sardar.  
Sudarshan, Lala.

## NOES.

- Abdul Hamid Khan, Sufi.  
 Abdul Haye, The Honourable Mian.  
 Abdul Rab, Mian.  
 Abdul Rahim, Chaudhri (Gurdaspur).  
 Abdul Rahim, Chaudhri (Gurgaon).  
 Afzaalali Hasnie, Sayed.  
 Ahmad Yar Khan Daulatana, Khan Bahadur Mian.  
 Akbar Ali, Pir.  
 Ali Akbar, Chaudhri.  
 Ajmad Ali Shah, Sayed.  
 Ashiq Hussain, Captain.  
 Badar-Mohy-ud-Din Qadri, Mian.  
 Balbir Singh, Rao Bahadur Captain Rao.  
 Bhagwant Singh, Rai.  
 Binda Saran, Rai Bahadur.  
 Chhotu Ram, The Honourable Chaudhri Sir.  
 Dasaundha Singh, Sardar.  
 Faiz Muhammad Khan, Rai.  
 Faiz Muhammad, Shaikh.  
 Faqir Chand, Chaudhri.  
 Faqir Hussain Khan, Chaudhri.  
 Farman Ali Khan, Subedar-Major.  
 Fateh Jang Singh, 2nd Lt. Bhai.  
 Fateh Khan, Raja.  
 Fateh Mohammad, Mian.  
 Fateh Sher Khan, Malik.  
 Fazl Ali, Khan Bahadur Nawab Chaudhri.  
 Fazal Din, Khan Sahib Chaudhri.  
 Fazal Karim Bakhsh, Mian.  
 Few, Mr. E.  
 Ghazanfar Ali Khan, Raja.  
 Ghulam Samad, Khawaja.  
 Girdhari Das, Mahant.  
 Gopal Das, Rai Sahib Lala.  
 Gopal Singh (American), Sardar.  
 Gurbachan Singh, Sardar Sahib Sardar.  
 Hans Raj, Bhagat.  
 Hari Chand, Rai.  
 Harnam Das, Lala.  
 Het Ram, Rai Sahib Chaudhri.  
 Indar Singh, Sardar.  
 Jagjit Singh Man, Sardar.  
 Jahan Ara Shah Nawaz, Mrs.  
 Jahangir Khan, Chaudhri.  
 Jalal-ud-Din Amber, Chaudhri.  
 Jogindar Singh Man, Sardar.  
 Jugal Kishore, Chaudhri.  
 Khizar Hayat Khan Tiwana, The Honourable Nawazabzada Major.  
 Kishan Das, Seth.  
 Maqbool Mahmood, Mir.  
 Mubarik Ali Shah, Sayed.  
 Muhammad Akram Khan, Khan Bahadur Raja.  
 Muhammad Ashraf, Chaudhri.  
 Muhammad Faiyaz Ali Khan, Nawabzada.  
 Muhammad Hassan Khan Gurchani, Khan Bahadur Sardar.  
 Muhammad Hassan, Khan Bahadur Makhdum Sayed.  
 Muhammad Hayat Khan Noon, Nawab Malik Sir.  
 Muhammad Jamal Khan Leghari, Nawab Sir.  
 Muhammad Nawaz Khan, Major Sardar.  
 Muhammad Saadat Ali Khan, Khan Sahib Khan.  
 Muhammad Sarfraz Khan, Chaudhri.  
 Muhammad Sarfraz Khan, Raja.  
 Muhammad Yasin Khan, Chaudhri.  
 Muhammad Yusuf Khan, Khan.  
 Mukand Lal Puri, Rai Bahadur Mr.  
 Mushtaq Ahmad Gurmani, Khan Bahadur Mian.  
 Muzaffar Ali Khan Qizilbash, Sardar.  
 Muzaffar Khan, Khan Bahadur Nawab.  
 Narendra Nath, Diwan Bahadur Raja.  
 Nasir-ud-Din Shah, Pir.  
 Nasrullah Khan, Rana.  
 Naunihal Singh, Mann, Lieutenant Sardar.  
 Nawazish Ali Shah, Sayed.  
 Nur Ahmad Khan, Khan Sahib Mian.  
 Prem Singh, Chaudhri.  
 Ram Sarup, Chaudhri.  
 Ranpat, Chaudhri.

Ripudaman Singh, Thakur.  
 Roberts, Professor W.  
 Shah Nawaz Khan, Nawab Khan.  
 Sham Lal, Rai Bahadur Chaudhri.  
 Sikander Hyat-Khan, The Honour-  
 able Major Sir.  
 Singha, Mr. S. P.  
 Sultan Mahmood Hotiana, Mian.  
 Sumer Singh, Chaudhri.

Sundar Singh Majithia, The Honour-  
 able Dr. Sir.  
 Suraj Mal, Chaudhri.  
 Talib Hussain Khan, Khan.  
 Tara Singh, Sardar.  
 Tikka Ram, Chaudhri.  
 Ujjal Singh, Sardar Sahib Sardar.  
 Wali Muhammad Sayyal Hiraj,  
 Sardar.

### THE PUNJAB HEALTH INSURANCE BILL.

**Dr. Gopi Chand Bhargava** (Lahore City, General, Urban): Sir, I beg to move—

That leave be granted to introduce the Punjab Health Insurance Bill.

**Mr. Speaker**: Motion moved is—

That leave be granted to introduce the Punjab Health Insurance Bill.

**Minister for Education** (The Honourable Mian Abdul Haye): I object to leave being granted.

**Dr. Gopi Chand Bhargava**: Mr. Speaker, the Bill for which I request that leave be granted to introduce is a very simple one. It is to provide health insurance for the poor labourers.

I think, Sir, it needs no arguments to show that our poor people do stand in need of relief for keeping their health and for treatment when they fall ill. The conditions prevailing in our country are such that poor people are very ignorant as well and it becomes very difficult for these poor and ignorant people to get relief when they fall ill. I, therefore, think that it is our duty to make provisions for their health insurance and their relief when any necessity arises. It may be argued as it was done just now that there are no health insurance Acts in other provinces of our country or in other countries. As far as other countries are concerned, I do not know whether there are any such Acts or not. But there is one great difference which I must point out between other countries and our country. The first difference is that the people of other countries are not so ignorant or poor as our people are. The second is that the system of treatment as it exists in other countries is more costly than what it is in our country. Allopathic system of medicine is much more costly than the indigenous system which exists in our country. Therefore, I think it is more easy to provide for the health insurance in our country than in other countries. As far as the other provinces are concerned, we have been claiming in every respect that the Punjab is to give lead to other provinces and it is befitting to the honour of this province that our Assembly should grant leave for the introduction of such a Bill. I do not claim that this is an ideal Bill. There may be defects in it, as I am not a lawyer much less a constitutional one. But what I am really praying is that leave be granted for its introduction and after that it may be published and public opinion invited to improve it. After all, it is not such a bad Bill of which it can be said that it will be a waste of time and money. Mere publication of

4 P.M.

[Dr. Gopi Chand Bhargava.]

this Bill in the Gazette will not cost them anything. For these reasons I hope that the Government though they have objected to its introduction, will withdraw that objection and permit me to move this Bill and grant leave for its introduction.

**Minister for Education** (The Honourable Mian Abdul Haye) : In response to the appeal made by the Honourable the Leader of the Opposition I regret that I have to oppose this Bill at its initial stage. While opposing it I want to make it clear that the Punjab Government is as solicitous for the welfare of the labour classes as they are for the agriculturists and for the matter of that of other classes. But I oppose a motion of this nature and I have got cogent reasons for doing so. In the first instance, we have not got the relevant data before us ; we have not got the material before us. In the second place, the biggest obstacle is that of cost.

It has been accepted on all hands that here in this province or for the matter of that in this country circumstances are not favourable for the introduction of such legislations or such schemes. With your permission, I would make reference to the Report of the Royal Commission on labour to which reference has already been made.

So far as the question of the data and the material is concerned, so far as the question of the cost and the responsibility of the Government is concerned, both these questions were gone into. I have before me the Report of the Royal Commission on labour in India and I may be permitted to say that my honourable friend, Diwan Chaman Lall, was a party to this Report. With your permission I would draw the attention of the House to page 266 of this Report which is as follows :—

#### STATISTICS OF SICKNESS INCIDENCE.

Unfortunately, the examination hitherto given to the subjects has not provided what must be regarded as an essential preliminary to the framing of a satisfactory scheme. What is required is an estimate of the incidence of sickness among workers whom the scheme is designed to cover. Without this it is impossible even to guess at the cost of any benefits which it is desired to provide or, conversely, the benefits which can be secured from any given contribution. The collection of the necessary material for the framing of an estimate, therefore, is the first task which should be undertaken. The amount of material already available is extremely scanty.

Again, on page 267 of the Report of the Royal Commission on Labour in India, as regards the ' Method of attack ' it is said :—

We recommend that, thereafter, the question of framing schemes be referred to a carefully selected formal committee who might be instructed to examine the material and to make recommendations for the institution, if and where possible, of definite schemes.

Then at page 268 of the same Report this is what the Commission has said as regards the ' Tentative Scheme ' :—

This scheme is based on the assumption that responsibility for the medical and for the financial benefits will be separated. The former could be undertaken by Government, possibly on a non-contributory basis, and the latter through employers on the basis of contributions by themselves and by the workers.

The Commission was definitely of the opinion that the contributions, if any, are to be made by the employers and the employees and not by Government. Similarly, I may be permitted to refer to another scheme that we had before us and which is usually known as the Hingorani Scheme. It

appears that the gentleman who advocated that scheme, Mr. Hingorani, moved the matter while he was in London. It was referred by the Right Honourable Secretary of State for India in Council to the Government of India who in turn made a reference to all the provinces. A provision was made in the scheme, that was drawn up by Mr. Hingorani, for contribution by the employer and the employed and no provision was made for any contribution by Government, obviously for the reason that the finances of various provincial governments could not afford to make any contribution. As no estimate had been prepared, it is very difficult to give any accurate figure but I assume that if a scheme of this nature were to be introduced in the Punjab and if it were intended that the agricultural population of the Punjab should also benefit by this scheme, the figures would be astronomical figures. (*Hear, hear*). The Government, which has at present only a few lakhs of rupees for the Health Department in the budget, cannot afford to do so. When I oppose this motion I have got other difficulties. Some portions of this Bill are not intelligible to me. I tried to approach the honourable mover of this motion who is the adopted father of this Bill. He was unable to assist me yesterday because he was busy with some other important matter.

**Dr. Shaikh Muhammad Alam :** On a point of order. Is the Honourable Minister for Education entitled to discuss the provisions?

**Minister for Education :** I am not discussing the provisions. I am suggesting that it is impossible for the Government to agree to a motion regarding a Bill the provisions of which are unintelligible. From what I have learnt from my honourable friend Dr. Gopi Chand Bhargava, it appears that the agricultural population of the Punjab is not included in this scheme. If that were so, I would certainly not agree to the motion. Let me tell you in another way that it is not going to benefit the agriculturist population. The agriculturist population which comes to between 85 and 90 per cent. of the whole population of this province is not going to be affected because Punjab is the land of the peasant proprietor and the land of home industries and in the matter of peasant proprietor and home industry the employer and the employed is usually the same man.

**Dr. Gopi Chand Bhargava :** Do not labourers come from the agriculturist classes?

**Minister for Education :** Along with this let me make a reference to another fact. It appears that Mr. Harold Butler, the Director of International Labour Office, who has been on a visit to India recently, said in one of the talks that he gave the other day that—

In the present state of industry in India some advanced measures of progressive legislation are not possible for the present.

So, I am fortified by the opinion of Mr. Harold Butler, Mr. Hingorani and the Report of the Royal Commission on Labour in India.

This Bill introduces an element of compulsion and taxation. So far as compulsion is concerned, I want to make it clear that the Government has set its face against it absolutely and definitely. What we are trying at present is to grant relief by adopting measures of persuasion and not compulsion. So far as the contribution, which indirectly means taxation, because the layman, the man in the street is likely to take it in that sense

[Minister for Education.]

is concerned, I need hardly remind this honourable House about the debate that we had the other day over the question of the repairs of the Badshahi Mosque.

**Sardar Hari Singh :** A point of order, Mr. Speaker. Can an honourable member of this House refer to the debates of the same session ?

**Minister for Education :** Without referring to the debate I may point out that the incidence of the so-called taxation in the matter of the Badshahi Mosque was one pice per rupee of the land revenue.

**Dr. Shaikh Muhammad Alam :** On a point of order. He is again referring to the debates of this session.

**Minister for Education :** Here the contribution that is sought to be realised is one anna per week and three annas per week for all time to come. Let it be said that we are not in any way less solicitous for doing something for the health and welfare of the people. I have already submitted that we are doing all that we can for the welfare of the people.

**Dr. Gopi Chand Bhargava :** A word of personal explanation, Sir. It has been said by the Honourable Minister for Education that he approached me to find out what I meant by certain sections. I want to explain that I did tell him that such and such things are exempted and the exemptions did not include the agriculturists. The agriculturists are as much to be benefited by this Bill if accepted as the non-agriculturists. (*Hear, hear*).

**Mr. Speaker :** The question is—

That leave be granted to introduce the Punjab Health Insurance Bill.

*The Assembly divided : Ayes 81 : Noes 96.*

AYES.

Ajit Singh, Sardar.  
Baldev Singh, Sardar.  
Bhagat Ram Choda, Lala.  
Bhagat Ram Sharma, Pandit.  
Bhim Sen Sachar, Lala.  
Chanan Singh, Sardar.  
Duni Chand, Lala.  
Gauba, Mr. K. L.  
Gopi Chand Bhargava, Dr.  
Hari Lal, Munshi.  
Hari Singh, Sardar.  
Harjab Singh, Sardar.  
Kabul Singh, Master.  
Kartar Singh, Chaudhri.  
Kartar Singh, Sardar.  
Kishan Singh, Sardar.

Muhammad Alam, Dr. Shaikh.  
Muhammad Hassan, Chaudhri.  
Muhammad Iftikhar-ud-Din, Mian.  
Mula Singh, Sardar.  
Muni Lal Kalia, Pandit.  
Partab Singh, Sardar.  
Prem Singh, Mahant.  
Raghubir Kaur, Shrimati.  
Rur Singh, Sardar.  
Saif-ud-Din Kitchlew, Dr.  
Sampuran Singh, Sardar.  
Sant Ram Seth, Dr.  
Shri Ram Sharma, Pandit.  
Sohan Singh, Josh, Sardar.  
Sudarshan, Lala.

## NOES.

- Abdul Haye, The Honourable Mian.  
 Abdul Rab, Mian.  
 Abdul Rahim, Chaudhri (Gurdaspur).  
 Abdul Rahim, Chaudhri (Gurgaon).  
 Afzaalali Hasnie, Sayed.  
 Ahmad Yar Khan Daulatana, Khan Bahadur Mian.  
 Ahmad Yar Khan, Chaudhri.  
 Akbar Ali, Pir.  
 Ali Akbar, Chaudhri.  
 Amjad Ali Shah, Sayed.  
 Ashiq Hussain, Captain.  
 Badar-Mohy-ud-Din Qadri, Mian.  
 Bhagwant Singh, Rai.  
 Binda Saran, Rai Bahadur.  
 Chhotu Ram, The Honourable Chaudhri Sir.  
 Dasaundha Singh, Sardar.  
 Faiz Muhammad Khan, Rai.  
 Faiz Muhammad, Shaikh.  
 Faqir Chand, Chaudhri.  
 Farman Ali Khan, Subedar Major.  
 Fateh Jang Singh, 2nd Lt., Bhai.  
 Fateh Khan, Raja.  
 Fateh Mohammad, Mian.  
 Fateh Sher Khan, Malik.  
 Fazl Ali, Khan Bahadur Nawab Chaudhri.  
 Fazl Din, Khan Sahib Chaudhri.  
 Fazal Karim Bakhsh, Mian.  
 Few, Mr. E.  
 Ghazanfar Ali Khan, Raja.  
 Ghulam Mohy-ud-Din, Maulvi.  
 Ghulam Qadir Khan, Khan Bahadur.  
 Ghulam Rasul, Chaudhri.  
 Ghulam Samad, Khawaja.  
 Girdhari Das, Mahant.  
 Gopal Das, Rai Sahib Lala.  
 Gopal Singh (American), Sardar.  
 Gurbachan Singh, Sardar Sahib Sardar.  
 Hans Raj, Bhagat.  
 Hari Chand, Rai.  
 Harnam Das, Lala.  
 Harnam Singh, Lieutenant Sodhi.  
 Het Ram, Rai Sahib Chaudhri.  
 Indar Singh, Sardar.  
 Jagjit Singh Man, Sardar.  
 Jahan Ara Shah Nawaz, Mrs.  
 Jahangir Khan, Chaudhri.  
 Jugal Kishore, Chaudhri.  
 Karamat Ali, Shaikh.  
 Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major.  
 Kishan Das, Seth.  
 Maqbool Mahmood, Mir.  
 Mubarik Ali Shah, Sayed.  
 Muhammad Akram Khan, Khan Bahadur Raja.  
 Muhammad Ashraf, Chaudhri.  
 Muhammad Faiyaz Ali Khan, Nawabzada.  
 Muhammad Hassan Khan Gurchani, Khan Bahadur Sardar.  
 Muhammad Hassan, Khan Bahadur Makhdum Sayed.  
 Muhammad Hayat Khan Noon, Nawab Malik Sir.  
 Muhammad Hussain, Sardar.  
 Muhammad Jamal Khan Leghari, Nawab Sir.  
 Muhammad Nawaz Khan, Major Sardar.  
 Muhammad Saadat Ali Khan, Khan Sahib Khan.  
 Muhammad Sarfraz Khan, Chaudhri.  
 Muhammad Sarfraz Khan, Raja.  
 Muhammad Shafi Ali Khan, Khan Sahib Chaudhri.  
 Muhammad Yasin Khan, Chaudhri.  
 Muhammad Yusaf Khan, Khan.  
 Mushtaq Ahmad Gurmani, Khan Bahadur Mian.  
 Muzaffar Ali Khan Qizilbash, Sardar.  
 Muzaffar Khan, Khan Bahadur Nawab.  
 Narendra Nath, Diwan Bahadur Raja.  
 Nasir-ud-Din Shah, Pir.  
 Nasrullah Khan, Rana.  
 Nawazish Ali Shah, Sayed.  
 Nur Ahmad Khan, Khan Sahib Mian.  
 Prem Singh, Chaudhri.  
 Pritam Singh, Siddhu, Sardar.  
 Ram Sarup, Chaudhri.

Ranpat, Chaudhri.  
 Ripudaman Singh, Thakar.  
 Roberts, Professor, W.  
 Sahib Dad Khan, Khan Sahib  
 Chaudhri.  
 Shahadat Khan, Khan Sahib Rai.  
 Shah Nawaz Khar, Nawab Khan.  
 Sham Lal, Rai Bahadur Chaudhri.  
 Sikander Hyat-Khan, The Honour-  
 able Major, Sir.  
 Singha, Mr. S. P.

Sultan Mahmood Hotiana, Mian.  
 Sumer Singh, Chaudhri.  
 Sundar Singh, Majithia, The  
 Honourable Dr. Sir.  
 Suraj Mal, Chaudhri.  
 Talib Hussain Khan, Khan.  
 Tara Singh, Sardar.  
 Tikka Ram, Chaudhri.  
 Ujjal Singh, Sardar Sahib Sardar.  
 Wali Muhammad Sayyal Hiraj,  
 Sardar.

#### PERSONAL EXPLANATION.

**Sardar Partab Singh :** Sir, the Parliamentary Secretary this morning in giving answer to a short notice question by Lieutenant Sardar Naunihal Singh Man said that Hazara Singh of village Gjarka, district Amritsar, about whom I gave notice of an adjournment motion, is related to me. I may say that he is not my relation.

**Mr. Speaker :** Order, order.

#### THE PUNJAB DISTRICT BOARDS (AMENDMENT) BILL.

**Sardar Hari Singh** (Kangra and Northern Hoshiarpur, Sikh, Rural) :  
 I beg to move—

That leave be granted to introduce the Punjab District Boards (Amendment) Bill.

I move it without making any speech.

**Mr. Speaker :** The motion is—

That leave be granted to introduce the Punjab District Boards (Amendment) Bill.

**Minister for Public Works** (The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana) : I object to leave being given.

**Sardar Hari Singh :** The objects with which I beg leave to introduce this Bill are stated in the annexure of the Bill and I need not dilate upon them any more.

**Minister :** Silence may be answered by silence. The matter is being considered by Government and we will come forward with our own proposals in that connection later on, if necessary. The Bill in question is objectionable from many points of view and I therefore oppose the motion for introduction.

**Mr. Speaker :** The question is—

That leave be granted to introduce the Punjab District Boards (Amendment) Bill.

*(At this stage Mr. Speaker left the Chair and the Deputy Speaker occupied it.)*

*The Assembly divided Ayes 80 : Noes 75.*

#### AYES.

Abdul Aziz, Mian.  
Ajit Singh, Sardar.  
Baldev Singh, Sardar.  
Bhagat Ram Choda, Lala.  
Bhagat Ram Sharma, Pandit.  
Bhim Sen Sachar, Lala.  
Chanan Singh, Sardar.  
Duni Chand, Lala.  
Hari Lal, Munshi.  
Hari Singh, Sardar.  
Harjab Singh, Sardar.  
Kabul Singh, Master.  
Kapoor Singh, Sardar.  
Kartar Singh, Chaudhri.  
Kartar Singh, Sardar.

Kishan Singh, Sardar.  
Lal Singh, Sardar.  
Muhammad Alam Dr., Shaikh.  
Muhammad Hassan, Chaudhri.  
Mula Singh, Sardar.  
Muni Lal Kalia, Pandit.  
Partab Singh, Sardar.  
Prem Singh, Mahant.  
Raghubir Kaur, Shrimati.  
Rur Singh, Sardar.  
Sampuran Singh, Sardar.  
Sant Ram Seth, Dr.  
Shri Ram Sharma, Pandit.  
Sohan Singh Josh, Sardar.  
Sudarshan, Lala.

#### NOES.

Abdul Hamid Khan, Sufi.  
Abdul Haye, The Honourable Mian.  
Abdul Rahim, Chaudhri (Gurdaspur).  
Afzaalali Hasnie, Sayed.  
Ahmad Yar Khan Daulatana, Khan Bahadur Mian.  
Ahmad Yar Khan, Chaudhri.  
Akbar Ali, Pir.  
Ali Akbar, Chaudhri.  
Amjad Ali Shah, Sayed.  
Ashiq Hussain, Captain.  
Bhagwant Singh, Rai.  
Chhotu Ram, The Honourable Chaudhri Sir.  
Faiz Muhammad, Shaikh.  
Faqr Chand, Chaudhri.  
Farman Ali Khan, Subedar Major.  
Fateh Jang Singh, 2nd Lt., Bhai.  
Fateh Khan, Raja.  
Fateh Muhammad, Mian.  
Fateh Sher Khan, Malik.  
Fazl Ali, Khan Bahadur Nawab Chaudhri.  
Fazal Din, Khan Sahib Chaudhri.

Fazal Karim Bakhsh, Mian.  
Few, Mr. E.  
Ghazanfar Ali Khan, Raja.  
Ghulam Mohy-ud-Din, Maulvi.  
Ghulam Qadir Khan, Khan Bahadur.  
Ghulam Rasul, Chaudhri.  
Ghulam Samad, Khawaja.  
Girdhari Das, Mahant.  
Gopal Das, Rai Sahib Lala.  
Gopal Singh (American), Sardar.  
Gurbachan Singh, Sardar Sahib-Sardar.  
Hans Raj, Bhagat.  
Hari Chand, Rai.  
Harnam Das, Lala.  
Indar Singh, Sardar.  
Jahan Ara Shah Nawaz, Mrs.  
Jahangir Khan, Chaudhri.  
Jalalud-Din Amber, Chaudhri.  
Jugal Kishore, Chaudhri.  
Karamat Ali, Shaikh.  
Khizar Hayat Khan, Tiwana, The Honourable Nawabzada Major.  
Kishan-Das, Seth.

Maqbool Mahmood, Mir.  
 Mubarik Ali Shah, Sayed.  
 Muhammad Ashraf, Chaudhri.  
 Muhammad Faiyaz Ali Khan,  
 Nawabzada.  
 Muhammad Hassan Khan Gurchani,  
 Khan Bahadur Sardar.  
 Muhammad Hayat Khan Noon,  
 Nawab Malik Sir.  
 Muhammad Jamal Khan Leghari,  
 Nawab Sir.  
 Muhammad Saadat Ali Khan, Khan  
 Sahib Khan.  
 Muhammad Sarfraz Khan, Chau-  
 dhri.  
 Muhammad Sarfraz Khan, Raja.  
 Muhammad Shafi Ali Khan, Khan  
 Sahib Chaudhri.  
 Muhammad Yasin Khan, Chaudhri.  
 Muzaffar Ali Khan Qizilbash,  
 Sardar.  
 Nasir-ud-Din, Shah, Pir.  
 Nasrullah Khan, Rana.

Nawazish Ali Shah, Sayed.  
 Nur Ahmad Khan, Khan Sahib,  
 Mian.  
 Pir Muhammad, Khan Sahib  
 Chaudhri.  
 Prem Singh, Chaudhri.  
 Rai, Mr. C.  
 Ripudaman Singh, Thakur.  
 Roberts, Professor W.  
 Sahib Dad Khan, Khan Sahib  
 Chaudhri.  
 Shahadat Khan, Khan Sahib Rai.  
 Sham Lal, Rai Bahadur Chaudhri.  
 Sikander Hyat-Khan, The Honour-  
 able Major Sir.  
 Sunder Singh Majithia, The Honour-  
 able Dr. Sir.  
 Talib Hussain Khan, Khan.  
 Tara Singh, Sardar.  
 Tikka Ram, Chaudhri.  
 Ujjal Singh, Sardar Sahib Sardar.  
 Wali Muhammad Sayyal Hiraj,  
 Sardar.

### THE PUNJAB REMOVAL OF BEGGARY BILL.

**Lala Duni Chand** (Ambala and Simla, General, Rural): Sir, I beg to move—

That leave be granted to introduce the Punjab Removal of Beggary Bill.

**Deputy Speaker**: Motion moved is—

That leave be granted to introduce the Punjab Removal of Beggary Bill.

Does any body object to leave being granted?

(No objection was raised.)

**Lala Duni Chand**: I introduce the Punjab Removal of Beggary Bill.

### THE PUNJAB LAND REVENUE (AMENDMENT) BILL.

**Lala Duni Chand**: Sir I beg to move—

That leave be granted to introduce the Punjab Land Revenue (Amendment) Bill.

**Deputy Speaker**: The motion is—

That leave be granted to introduce the Punjab Land Revenue (Amendment) Bill.

**Raja Ghazanfar Ali Khan** (Parliamentary Secretary): Sir, I rise to oppose the motion on behalf of Government.

**Dr. Shaikh Muhammad Alam :** On a point of order Sir. The honourable member cannot oppose the Bill as he is not the Minister in charge of the Revenue Department.

**Raja Ghazanfar Ali Khan :** May I submit that it is not necessary that the introduction of a Bill should be opposed by the Revenue Minister alone ? Any member on behalf of the Government can oppose a Bill.

**Lala Duni Chand :** Will you kindly point out any rule to that effect ?

**Deputy Speaker :** The honourable member should simply oppose the motion for leave to introduce the Bill if he so desires.

**Dr. Shaikh Muhammad Alam :** On a point of order. A Parliamentary Secretary, in his position as such, cannot oppose a Bill. It should be opposed by a member of the Government.

**Deputy Speaker :** If the Honourable Minister in charge has authorised him, then he can oppose the Bill. I think he has authorised him.

**Dr. Shaikh Muhammad Alam :** With due deference, there is no provision to that effect in the standing orders. A Bill is to be introduced by the member in whose name it stands and it has to be opposed, if at all, by a member of the Government. There is no question of authorisation or power of attorney.

**Deputy Speaker :** A Parliamentary Secretary can oppose a Bill on behalf of a Government member.

**Mir Maqbool Mahmood :** It can be opposed by any member of the House.

**Lala Duni Chand :** There are no interim rules regarding this matter. If there is anything in the rules which authorises a Parliamentary Secretary to speak on behalf of a Government member he can do so. But I think there is none.

**Raja Ghazanfar Ali Khan :** May I draw your attention to Standing Order 40 which relates to the introduction of Bills ? This Standing Order runs as follows :—

“ If a motion for leave to introduce a Bill is opposed, the Speaker..... ”

It does not say ‘opposed by whom’. Therefore, I would submit that not only is it the right of any Government Member to oppose a Bill, but any member of this House has a right to oppose the introduction of a Bill and I would request the honourable members opposite not to get excited. I should like them to quote under what section and under what law, they can deprive any individual member of this House from opposing the introduction of a Bill ?

**Dr. Shaikh Muhammad Alam :** There was no excitement on our part.

**Deputy Speaker :** Any honourable member can oppose a Bill and it is not necessary that the Minister in charge alone should oppose it.

**Pandit Muni Lal Kalia :** Sir, the Opposition has not been clearly understood. Objection was taken to the honourable member standing up to oppose the Bill on behalf of the Honourable Minister for Revenue. It is quite clear under Standing Order 40 that any member of this House can oppose a Bill, but this can be done in his personal capacity. The honourable member opposite stood up to oppose the Bill on behalf of the Honourable Minister and that is why we challenged that opposition.

**Deputy Speaker :** So far as the opposing of a Bill is concerned, it does not make the slightest difference.

**Lala Duni Chand :** Sir, the object of my Bill is that instead of lambardars, zaildars and sufedposhes being appointed by the collector under the rules framed by the Financial Commissioner under section 28 of the Punjab Land Revenue Act, they may be appointed as a result of election held on the universal male franchise basis. I submit, Sir, that it has been now conceded that we are having something of democracy. The introduction of representative institutions has been recognised since 1920 in this country. Now it is claimed by the Government that practically they have granted provincial autonomy to the provinces. If this is the position of the Government, as I understand rightly that it is, then the Government should have no objection on principle to the introduction of a measure like this. It merely further extends the rule of democracy. It has been recognised by the Government and it has also been recognised by the Government of India Act that before the British rule, every village was a self-governing unit and the right of self-Government was conceded to every village. It is only after British rule that the rural officers came, not to be elected but to be appointed. The reason being that there being a foreign Government, the foreign Government wanted a body of people that would support their foreign domination. Now as there is no more foreign domination, in any case, so far as provinces are concerned, I expect that the Government will accept this measure that I have introduced. With these words I beg leave to introduce this Bill.

**Raja Ghazanfar Ali Khan (Parliamentary Secretary) :** I oppose this motion and my reasons for the opposition are those which I am sure will appeal to the honourable members of the House or at least to that section which is in sympathy with the land owning classes of the province. The post of lambardars, as the House is aware, is a hereditary one. The object of this Bill is to deprive the innumerable zamindars of the province of that right of inheritance which they have been enjoying for several generations. I ask, is it fair to take away by this piece of legislation that right from that class of loyal citizens who have vested interests in the province ?

Again let us see what the duties of lambardars are. The main duty of a lambardar is the collection of revenue. His second duty is to help the administration in the maintenance of law and order. Now I would request you to consider whether it is desirable or whether it is fair by one stroke of the pen to do away with a system which has been working satisfactorily for a number of years and which has stood the test of time and replace it by a system of election which I personally think will only create party faction.

in every village and will lead to many troubles. I do not think any government which wishes to run its administration, and particularly the revenue collection business at such a small cost, would consider it reasonable to do away with these lambardars.

As regards zaildars, they are generally appointed from among the lambardars and if the course suggested in this Bill is adopted, the lambardars will be deprived of the right of becoming zaildars.

Coming to the question of election, as suggested in the Bill, I may point out that we have not heard from the honourable member as to what particular scheme of election he has in mind. He says that all the male members of an ilaqa should be voters. (*An honourable member*: Adult male members.) "So far as I can see the Bill there is no mention of adults in it. The word "adult" has not been used in the Bill at all. The expression "male members" used in the Bill may include children of six months and old men above 80 years. Has anybody heard of any such preposterous proposition as that? (*Hear, hear.*)

**Lala Duni Chand** : You must read the Bill with a certain amount of commonsense.

**Raja Ghazanfar Ali Khan** : We are not here to fill up gaps left by the Opposition as regards commonsense. But the question is whether the Opposition seriously considers that there is any chance of such a Bill receiving any serious consideration at the hands of Government which is mainly representative of the interests of the zamindars.

Further, the number of lambardars in the province is nearly 100,000. Suppose we hold 100,000 elections for electing all these lambardars. What a tremendous cost would it involve to Government? Besides it is not known whether these elections are to be held annually or once in three years or once in five years. The Bill is silent in this respect.

The same argument applies to zaildars also. The number of zaildars in the province must run to thousands. Under these circumstances, would anybody advise the Government to incur such an enormous expenditure for holding over a lakh of elections at periodical intervals?

Again, the Bill is very vague and does not specify the qualifications of candidates for election. In the absence of any such qualifications, I am inclined to infer that the honourable member wants to take away from the lambardars one qualification which they have had hitherto and that is that they must be landowners. Perhaps the honourable member would desire that even those who have no vested interests, who are not landowners, who are not agriculturists should be eligible for election for lambardari. For these reasons I beg to oppose the motion. (*Hear, hear.*)

**Deputy Speaker** : The question is—

That leave be granted to introduce the Punjab Land Revenue (Amendment) Bill.

*The Assembly divided : Ayes 32 : Noes 87.*

# AYES.

Abdul Aziz, Mian.  
Ajit Singh, Sardar.  
Bhagat Ram Choda, Lala.  
Bhagat Ram Sharma, Pandit.  
Bhim Sen Sachar, Lala.  
Chanan Singh, Sardar.  
Duni Chand, Lala.  
Gauba, Mr. K. L.  
Gopi Chand Bhargava, Dr.  
Hari Lal, Munshi.  
Hari Singh, Sardar.  
Harjab Singh, Sardar.  
Kabul Singh, Master.  
Kapoor Singh, Sardar.  
Kartar Singh, Chaudhri.  
Kartar Singh, Sardar.

Lal Singh, Sardar.  
Muhammad Alam, Dr. Shaikh.  
Muhammad Hassan, Chaudhri.  
Muhammad Iftikhar-ud-Din, Mian.  
Mula Singh, Sardar.  
Muni Lal Kalia, Pandit.  
Partab Singh, Sardar.  
Prem Singh, Mahant.  
Raghubir Kaur, Shrimati.  
Rur Singh, Sardar.  
Saif-ud-Din Kitchlew, Dr.  
Sampuran Singh, Sardar.  
Sant Ram Seth, Dr.  
Shri Ram Sharma, Pandit.  
Sohan Singh Josh, Sardar.  
Sudarshan, Lala.

# NOES.

Abdul Hamid Khan, Sufi.  
Abdul Haye, The Honourable Mian.  
Abdul Rahim, Chaudhri (Gurdaspur).  
Afzaalali Hasnie, Sayed.  
Ahmad Yar Khan Daulatana, Khan Bahadur Mian.  
Ahmad Yar Khan, Chaudhri.  
Akbar Ali, Pir.  
Ali Akbar Chaudhri.  
Amjad Ali Shah, Sayad.  
Ashiq Hussain, Captain.  
Badar-Mohy-ud-Din Qadri, Mian.  
Balbir Singh, Rao Bahadur Captain Rao.  
Binda Saran, Rai Bahadur.  
Chhotu Ram, The Honourable Chaudhri Sir.  
Faiz Muhammad, Sheikh.  
Faqir Chand, Chaudhri.  
Farman Ali Khan, Subedar Major.  
Fateh Jang Singh, 2nd Lieutenant Bhai.  
Fateh Khan, Raja.  
Fateh Muhammad, Mian.  
Fateh Sher Khan, Malik.

Fazl Ali, Khan Bahadur Nawab Chaudhri.  
Fazal Din, Khan Sahib Chaudhri.  
Fazal Karim Bekhsh, Mian.  
Few, Mr. E.  
Ghazanfar Ali Khan, Raja.  
Ghulam Mohy-ud-Din, Maulvi.  
Ghulam Qadir Khan, Khan Bahadur.  
Ghulam Rasul, Chaudhri.  
Girdhari Das, Mahant.  
Gopal Das, Rai Sahib Lala.  
Gopal Singh (American), Sardar.  
Gurbachan Singh, Sardar Sahib Sardar.  
Hans Raj, Bhagat.  
Hari Chand, Rai.  
Harnam Das, Lala.  
Harnam Singh, Lieutenant Sodhi.  
Indar Singh, Sardar.  
Jagjit Singh Bedi, Tikka.  
Jahan Ara Shah Nawaz, Mrs.  
Jahangir Khan, Chaudhri.  
Jalal-ud-Din Ambar, Chaudhri.  
Karamat Ali, Sheikh.  
Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major.

Kishan Das, Seth.  
 Maqbool Mahmood, Mir.  
 Mubarik Ali Shah, Sayed.  
 Muhammad Akram Khan, Khan Bahadur Raja.  
 Muhammad Ashraf, Chaudhri.  
 Muhammad Faiyaz Ali Khan, Nawabzada.  
 Muhammad Hassan Khan Gurchanni, Khan Bahadur Sardar.  
 Muhammad Hassan, Khan Bahadur Makhdum Sayad.  
 Muhammad Hayat Khan \*Noon, Nawab Malik Sir.  
 Muhammad Hussain, Sardar.  
 Muhammad Jamal Khan Leghari, Nawab Sir.  
 Muhammad Nawaz Khan, Major Sardar.  
 Muhammad Saadat Ali Khan, Khan Sahib Khan.  
 Muhammad Sarfraz Khan, Chaudhri.  
 Muhammad Sarfraz Khan, Raja.  
 Muhammad Shafi Ali Khan, Khan Sahib Chaudhri.  
 Muhammad Wilayat Hussain Jee-lani, Makhdumzada Haji Sayad.  
 Muhammad Yasin Khan, Chaudhri.  
 Muzaffar Ali Khan Qizilbash, Sardar.  
 Muzaffar Khan, Khan Bahadur Nawab.

Narendra Nath, Diwan Bahadur Raja.  
 Nasir-ud-Din Shah, Pir.  
 Nasrullah Khan, Rana.  
 Nawazish Ali Shah, Sayed.  
 Pir Muhammad, Khan Sahib Chaudhri.  
 Rai, Mr. C.  
 Ram Sarup, Chaudhri.  
 Ranpat, Chaudhri.  
 Ripudaman Singh, Thakur.  
 Roberts, Professor W.  
 Sahib Dad Khan, Khan Sahib Chaudhri.  
 Shahadat Khan, Khan Sahib Rai.  
 Shah Nawaz Khan, Nawab Khan.  
 Sham Lal, Rai Bahadur Chaudhri.  
 Sikander Hyat-Khan, The Honourable Major Sir.  
 Singha, Mr. S. P.  
 Sultan Mahmood Hotiana, Mian.  
 Sundar Singh Majithia, The Honourable Dr. Sir.  
 Suraj Mal, Chaudhri.  
 Talib Hussain Khan, Khan.  
 Tara Singh, Sardar.  
 Tikka Ram, Chaudhri.  
 Wali Muhammad Sayyal Hiraj, Sardar.

### THE PUNJAB FIXATION OF MINIMUM RATES OF WAGES BILL.

**Dr. Gopi Chand Bhargava** (Lahore City, General, Urban): I beg to move—

That leave be granted to introduce the Punjab Fixation of Minimum Rates of Wages Bill.

**Deputy Speaker**: The motion is—

That leave be granted to introduce the Punjab Fixation of Minimum Rates of Wages Bill.

**Minister for Development** (The Honourable Chaudhri Sir Chhotu Ram): Sir, I object to leave being granted.

**Dr. Gopi Chand Bhargava**: I need hardly add anything more to what has been given in the Statement of Objects and Reasons.

**Minister for Development**: My honourable friend the Leader of the Opposition has contented himself with making a reference to the Statement of Objects and Reasons in support of his Bill. To my disappointment he has not cared to throw any more light on the subject. This means that I

[Minister for Development.]

need not say much in opposition. However as I have opposed leave being granted even to the introduction of this Bill, I think it is only fair to the House and to Government that I should say a few words. It is true that if I were to allow this Bill to be introduced and subsequently to be passed it would give me and also the Leader of the Opposition who is the mover of this motion a good deal of cheap popularity.

**Dr. Gopi Chand Bhargava :** I do not aspire for that cheap popularity.

**Minister for Development :** I know Dr. Gopi Chand Bhargava does not like to have any popularity either cheap or dear, but that is not very material to the subject under discussion. We have to take into serious consideration the effect which a Bill of this character, if passed into law, is likely to have on the industrial growth of the province. It has been proposed that the minimum rates of wages in factories should be no less than thirty rupees a month, i.e. a rupee a day.

**Lala Duni Chand :** Compare with your three thousand.

**Minister for Development :** Yes, I can compare it with three thousand, I can compare it with five thousand, of twelve months ago, and I can also compare it with two thousand or more in comparatively minor walks of life, but let us not forget that if we once allow a minimum rate of rupees thirty a month for factory labour, the result would be that most of your factories, if not all, would have to go into liquidation. Take it from me that if any attempt is made to introduce a measure of this character, it would have most disastrous effect on the growth of industry in this province, and, at the same time, on existing factories in the province. Even at the present rate of wages factories are not making any very satisfactory progress. Industry has failed to make any headway on account of the fact that those who have capital are shy to invest it in these ventures because they are afraid of failures. If we once agree to a law of this kind, capital will be still more shy. There are only perhaps half a dozen big factories in the province. Ask any of the members who are interested in these factories. They are sure to tell you that if you introduce this scale of wages they will have to close down almost immediately. Therefore, all those who are interested in the growth of industry in this province ought to be patient. They should wait patiently for the time when industries are better established and more prosperous than they are either in India or in this province. When that day comes we shall all be very happy indeed. We should like our labourers to get not only Re. 1 but Rs. 2 a day provided we are in a position to afford that scale of wages. I feel confident that each individual member occupying those Opposition benches is absolutely sure that if this scale of wages is introduced all the factories will go into liquidation (*Voices : No.*) Without paying due heed to these consequences of the measure they have chosen to bring forward this Bill. I am very sorry that I have to oppose it in the interest of the province. I have to oppose this motion in the interest of those who have invested their capital in promoting industries and who may be expected to invest more capital in industries if we remain content with reasonable legislation.

**Lala Duni Chand :** Do you dispute the principle of the Bill? You can reduce the scale later on.

**Minister for Development :** If once we agree to the consideration of the proposed minimum wage without taking into consideration the various conditions prevailing in various parts of the province, the result would be an increase of unemployment. The present factories will go out of existence and no new factories will be started. The result would be a very serious increase in unemployment in the province.

**Lala Duni Chand :** You can agree to any minimum, say eight annas, six annas or four annas.

**Minister for Development :** It would be ridiculous for me to suggest two annas when the proposal in the bill is Re. 1 a day. I am sorry, I must oppose the introduction of the Bill.

*(At this stage Mr. Speaker resumed the Chair.)*

**Mr. Speaker :** The question is—

That leave be granted to introduce the Punjab Fixation of Minimum Rates of Wages Bill.

*The Assembly divided : Ayes 30 : Noes 76.*

AYES.

Baldev Singh, Sardar.  
Bhagat Ram Choda, Lala.  
Bhagat Ram Sharma, Pandit.  
Bhim Sen Sachar, Lala.  
Chanan Singh, Sardar.  
Duni Chand, Lala.  
Gopi Chand Bhargava, Dr.  
Hari Lal, Munshi.  
Hari Singh, Sardar.  
Harjab Singh, Sardar.  
Kabul Singh, Master.  
Kartar Singh, Chaudhri.  
Kartar Singh, Sardar.  
Lal Singh, Sardar.  
Muhammad Abdul Rahman Khan,  
Chaudhri.

Muhammad Alam, Dr. Shaikh.  
Muhammad Hassan, Chaudhri.  
Muhammad Iftikhar-ud-Din, Mian.  
Mula Singh, Sardar.  
Muni Lal Kalia, Pandit.  
Partab Singh, Sardar.  
Prem Singh, Mahant.  
Raghubir Kaur, Shrimati.  
Rur Singh, Sardar.  
Saif-ud-Din Kitchlew, Dr.  
Sampuran Singh, Sardar.  
Sant Ram Seth, Dr.  
Shri Ram Sharma, Pandit.  
Sohan Singh Josh, Sardar.  
Sudarshan, Lala.

NOES.

Abdul Hamid Khan, Sufi.  
Abdul Haye, The Honourable Mian.  
Abdul Rahim, Chaudhri (Gurgaon).  
Ahmad Yar Khan Daulatana, Khan  
Bahadur Mian.  
Akbar Ali, Pir.  
Ali Akbar, Chaudhri.  
Ashiq Hussain, Captain.  
Badr-Mohy-ud-Din Qadri, Mian.

Balbir Singh, Rao Bahadur Captain  
Rao.  
Balwant Singh, Sardar.  
Binda Saran, Rai Bahadur.  
Chhotu Ram, The Honourable  
Chaudhri Sir.  
Faiz Muhammad, Shaikh.  
Faqr Hussain Khan, Chaudhri.  
Farman Ali Khan, Subedar Major.

Fateh Sher Khan, Malik.  
 Fazal Din, Khan Sahib Chaudhri.  
 Few, Mr. E.  
 Ghulam Mohy-ud-Din, Maulvi.  
 Ghulam Qadir Khan, Khan Bahadur.  
 Ghulam Rasul, Chaudhri.  
 Girdhari Das, Mahant.  
 Gopal Das, Rai Sahib Lala.  
 Gopal Singh (American), Sardar.  
 Gurbachan Singh, Sardar Sahib  
 Sardar.  
 Hans Raj, Bhagat.  
 Hari Chand, Rai.  
 Harnam Das, Lala.  
 Harnam Singh, Lieutenant Sodhi.  
 Het Ram, Rai Sahib Chaudhri.  
 Indar Singh, Sardar.  
 Jahan Ara Shah Nawaz, Mrs.  
 Jahangir Khan, Chaudhri.  
 Jalal-ud-Din Amber, Chaudhri.  
 Karamat Ali, Sheikh.  
 Khizar Hayat Khan Tiwana, The  
 Honourable Nawabzada Major.  
 Kishen Das, Seth.  
 Maqbool Mahmood, Mir.  
 Mubarik Ali, Shah, Sayed.  
 Muhammad Akram Khan, Khan  
 Bahadur Raja.  
 Muhammad Ashraf, Chaudhri.  
 Muhammad Faiyaz Ali Khan, Na-  
 wabzada.  
 Muhammad Hassan Khan Gurchani,  
 Khan Bahadur Sardar.  
 Muhammad Hayat Khan Noon,  
 Nawab Malik Sir.  
 Muhammad Hussain, Sardar.  
 Muhammad Jamal Khan Leghari,  
 Nawab Sir.  
 Muhammad Nawaz Khan, Major  
 Sardar.

Muhammad Saadat Ali Khan, Khan  
 Sahib Khan.  
 Muhammad Sarfraz Khan, Chau-  
 dhri.  
 Muhammad Sarfraz Khan, Raja.  
 Muhammad Wilayat Hussain Jee-  
 lani Makhdumzada Haji Sayed.  
 Muhammad Yasin Khan, Chaudhri.  
 Mushtaq Ahmad Gurmani, Khan  
 Bahadur Mian.  
 Muzaffar Ali Khan Qizilbash, Sardar.  
 Muzaffar Khan, Khan Bahadur  
 Nawab.  
 Narendra Nath, Diwan Bahadur  
 Raja.  
 Nasir-ud-Din Shah, Pir.  
 Pir Muhammad, Khan Sahib Chau-  
 dhri.  
 Pritam Singh Siddhu, Sardar.  
 Rai, Mr. C.  
 Ram Sarup, Chaudhri.  
 Ranpat, Chaudhri.  
 Ripudaman Singh, Thakur.  
 Roberts, Professor W.  
 Shahadat Khan, Khan Sahib Rai.  
 Shah Nawaz Khan, Nawab Khan.  
 Sham Lal, Rai Bahadur Chaudhri.  
 Sikander Hyat-Khan, The Honour-  
 able Major Sir.  
 Singha, Mr. S. P.  
 Sultan Mahmood Hotiana, Mian.  
 Sundar Singh Majithia, The Honour-  
 able Dr. Sir.  
 Suraj Mal, Chaudhri.  
 Tara Singh, Sardar.  
 Tikka Ram, Chaudhri.  
 Ujjal Singh, Sardar Sahib Sardar.  
 Wali Muhammad Sayyal Hiraj,  
 Sardar.

### THE PUNJAB REMOVAL OF BEGGARY BILL.

**Premier :** Sir, one of the Bills through an oversight was not put to the House and I understand that it is generally believed that it has been admitted. I am referring to the Punjab Removal of Beggary Bill. I think, that under the Standing Orders it is necessary that a motion should be put to the House before it is admitted. I suggest that you may be pleased to rectify that mistake.

**Pandit Muni Lal Kalia :** As a matter of fact the honourable the Premier was not in the House when this motion was put to the House. It was put by the Deputy Speaker who was in the Chair at that time and none stood up on his place to oppose it. After the sense of the House was taken according to rules Lala Duni Chand stood up and introduced the Bill and no one opposed it even at this stage. After this the House passed on to the next Bill. There was no question of oversight. As a matter of fact members of the Treasury benches had gone out to take tea and in their absence the Opposition took the advantage and were delighted to do so. The honourable Premier, I am sorry to say, is making a wrong statement.

**Premier :** I am afraid my honourable friend has not caught my point.

**Mr. Speaker :** The question is whether the motion was put to the vote of the House or not.

**Sardar Dasaundha Singh (DEPUTY SPEAKER) :** Through an oversight that motion was not put to the vote of the House.

**Dr. Shaikh Muhammad Alam :** May I request you kindly to consult the record of the Reporter ?

**Mr. Speaker :** I see no reason to disbelieve the Deputy Speaker.

**Lala Duni Chand :** The motion was put to the House and passed.

**Dr. Shaikh Muhammad Alam :** For your information I give definite and correct position on the point. The leave for introducing the Bill was asked. It was not opposed from the other benches. Then the honourable mover introduced the Bill and there was no opposition from the other side even at this stage no votes were however taken.

**Mr. Speaker :** Whether a motion is opposed or not it has to be put to the vote of the House.

**Dr. Shaikh Muhammad Alam :** If that is a mistake of your predecessor, you can get it corrected by subsequent voting. It is not our mistake and we certainly think that we have gained a very valuable right on account of the mistake of the Chair.

**Mr. Speaker :** I have no hesitation to say that no appeal lies to me. But when a mistake has been committed, the question is whether the House has a right to correct it. In my opinion it is the inherent right of the House to set it right. So, the question is how the needful may be done.

**Dr. Shaikh Muhammad Alam :** I would submit that if you adopt the position that the House has a right to correct the mistake committed by the Chair, the only procedure which you can adopt would be to put the question whether that mistake should be corrected or not.

**Mr. Speaker :** The honourable member is right. The question is—

That the mistake which has been committed by the Deputy Speaker be corrected.

*The Assembly divided : Ayes 77 : Noes 29.*

**AYES.**

Abdul Hamid Khan, Sufi.  
 Abdul Haye, The Honourable Mian.  
 Abdul Rahim, Chaudhri (Gurdaspur).  
 Abdul Rahim, Chaudhri (Gurgaon).  
 Afzaalali Hasnie, Sayed.  
 Ahmad Yar Khan Daulatana, Khan Bahadur Mian.  
 Akbar Ali, Pir.  
 Ali Akbar, Chaudhri.  
 Amjad Ali Shah, Sayed.  
 Ashiq Hussain, Captain.  
 Badar-Mohy-ud-Din Qadri, Mian.  
 Balbir Singh, Rao Bahadur Captain Rao.  
 Balwant Singh, Sardar.  
 Binda Saran, Rai Bahadur.  
 Chhotu Ram, The Honourable Chaudhri Sir.  
 Faiz Muhammad, Sheikh.  
 Faqir Hussain Khan, Chaudhri.  
 Farman Ali Khan, Subedar Major.  
 Fateh Sher Khan, Malik.  
 Fazal Din, Khan Sahib Chaudhri.  
 Fazal Karim Bakhsh, Mian.  
 Few, Mr. E.  
 Ghazanfar Ali Khan, Raja.  
 Ghulam Mohy-ud-Din, Maulvi.  
 Ghulam Qadir Khan, Khan Bahadur.  
 Ghulam Rasul, Chaudhri.  
 Girdhari Das, Mahant.  
 Gopal Das, Rai Sahib Lala.  
 Gopal Singh (American), Sardar.  
 Gurbachan Singh, Sardar Sahib Sardar.  
 Hans Raj, Bhagat.  
 Harnam Das, Lala.  
 Harnam Singh, Lieutenant Sodhi.  
 Het Ram, Rai Sahib Chaudhri.  
 Indar Singh, Sardar.  
 Jahan Ara Shah Nawaz, Mrs.  
 Jahangir Khan, Chaudhri.  
 • Jalal-ud-Din Amber, Chaudhri.  
 Karamat Ali, Sheikh.  
 Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major.  
 Kishen Das, Seth.  
 Maqbool Mahmood, Mir.  
 Mubarak Ali Shah, Sayed.

Muhammad Akram Khan, Khan Bahadur Raja.  
 Muhammad Ashraf, Chaudhri.  
 Muhammad Faiyaz Ali Khan, Nawabzada.  
 Muhammad Hassan Khan Gurchani, Khan Bahadur Sardar.  
 Muhammad Hussain, Sardar.  
 Muhammad Jamal Khan Leghari, Nawab Sir.  
 Muhammad Nawaz Khan, Major Sardar.  
 Muhammad Saadat Ali Khan, Khan Sahib Khan.  
 Muhammad Sarfraz Khan, Chaudhri.  
 Muhammad Sarfraz Khan, Raja.  
 Muhammad Shafi Ali Khan, Khan Sahib Chaudhri.  
 Muhammad Yasin Khan, Chaudhri.  
 Mushtaq Ahmad Gurmani, Khan Bahadur Mian.  
 Muzaffar Ali Khan Qizilbash, Sardar.  
 Muzaffar Khan, Khan Bahadur Nawab.  
 Narendra Nath, Diwan Bahadur Raja.  
 Nasir-ud-Din Shah, Pir.  
 Nawazish Ali Shah, Sayad.  
 Pir Muhammad, Khan Sahib, Chaudhri.  
 Ram Sarup, Chaudhri.  
 Ranpat, Chaudhri.  
 Ripudaman Singh, Thakur.  
 Roberts, Professor W.  
 Shahadat Khan, Khan Sahib Rai.  
 Sham Lal, Rai Bahadur Chaudhri.  
 Sikander Hyat-Khan, The Honourable Major Sir.  
 Sumer Singh, Chaudhri.  
 Sunder Singh Majithia, The Honourable Dr. Sir.  
 Suraj Mal, Chaudhri.  
 Talib Hussain Khan, Khan.  
 Tara Singh, Sardar.  
 Tikka Ram, Chaudhri.  
 Ujjal Singh, Sardar Sahib Sardar.  
 Wali Muhammad Sayyal Hiraj, Sardar.

## NOES.

Baldev Singh, Sardar.  
 Bhagat Ram Sharma, Pandit.  
 Bhim Sen Sachar, Lala.  
 Chaman Lal, Diwan.  
 Chanan Singh, Sardar.  
 Duni Chand, Lala.  
 Gopi Chand Bhargava, Dr.  
 Hari Lal, Munshi.  
 Hari Singh, Sardar.  
 Harjab Singh, Sardar.  
 Kabul Singh, Master.  
 Kartar Singh, Chaudhri.  
 Kartar Singh, Sardar.  
 Lal Singh, Sardar.  
 Muhammad Abdul Rahman Khan,  
 Chaudhri.

Muhammad Alam, Dr. Shaikh.  
 Muhammad Hassan, Chaudhri.  
 Mula Singh, Sardar.  
 Muni Lal Kalia, Pandit.  
 Partab Singh, Sardar.  
 Prem Singh, Mahant.  
 Raghbir Kaur, Shrimati.  
 Ram Narain Virmani, Seth.  
 Rur Singh, Sardar.  
 Sampuran Singh, Sardar.  
 Sant Ram Seth, Dr.  
 Shri Ram Sharma, Pandit.  
 Sohan Singh Josh, Sardar.  
 Sudarshan, Lala.

**Mr. Speaker :** The motion is—

That leave be granted to introduce the Punjab Removal of Beggary Bill.

**Lala Duni Chand :** Before this motion is put to the vote, I do submit to this House that the question has been decided and this motion cannot be taken up again before the House, notwithstanding the motion adopted by the House regarding the mistake.

**Mr. Speaker :** This is a reflection on the decision of the House.

**Lala Duni Chand :** I do not mean any reflection. I only pray you to allow me to explain my position within 2 or 3 minutes and after that you may be pleased to give your ruling.

**Mr. Speaker :** If the honourable member has to raise a point of order, he is welcome to do so.

**Lala Duni Chand :** My point of order is that it is true that the motion was not formally put before the House. But I have been allowed to introduce the Bill.

**Mr. Speaker :** What point of order?

**Lala Duni Chand :** My point of order is this. If the mistake was made by the Deputy Speaker and secondly, if any member of the House did not exercise his right of opposing the motion put before the House then in that case, the House is stopped from coming to any other conclusion—

**Mr. Speaker :** On what rule or law is the honourable member relying?

**Lala Duni Chand :** It is a principle of law that I am putting before you.

**Mr. Speaker :** The honourable member is requested to resume his seat. The question is—

That leave be granted to introduce the Punjab Removal of Beggary Bill.

*The Assembly divided : Ayes 80 : Noes 69.*

#### AYES.

Bhagat Ram Choda, Lala.  
 Bhagat Ram Sharma, Pandit.  
 Bhim Sen Sachar, Lala.  
 Chanan Singh, Sardar.  
 Duni Chand, Lala.  
 Gopi Chand Bhargava, Dr.  
 Hari Lal, Munshi.  
 Hari Singh, Sardar.  
 Harjab Singh, Sardar.  
 Kabul Singh, Master.  
 Kartar Singh, Chaudhri.  
 Kartar Singh, Sardar.  
 Lal Singh, Sardar.  
 Muhammad Abdul Rahman Khan,  
 Chaudhri.  
 Muhammad Alam, Dr. Shaikh.

Muhammad Hassan, Chaudhri.  
 Muhammad Iftikhar-ud-Din, Mian.  
 Mula Singh, Sardar.  
 Muni Lal Kalia, Pandit.  
 Partab Singh, Sardar.  
 Prem Singh, Mahant.  
 Raghbir Kaur, Shrimati.  
 Ram Narain Virmani, Seth.  
 Rur Singh, Sardar.  
 Saif-ud-Din Kitchlew, Dr.  
 Sampuran Singh, Sardar.  
 Sant Ram Seth, Dr.  
 Shri Ram Sharma, Pandit.  
 Sohan Singh Josh, Sardar.  
 Sudarshan, Lala.

#### NOES.

Abdul Hamid Khan, Sufi.  
 Abdul Haye, The Honourable Mian.  
 Abdul Rab, Mian.  
 Abdul Rahim, Chaudhri (Gurdas-  
 pur).  
 Afzaalali Hasnie, Sayed.  
 Ahmad Yar Khan Daulatana, Khan  
 Bahadur Mian.  
 Akbar Ali, Pir.  
 Ali Akbar, Chaudhri.  
 Amjad Ali Shah, Sayed.  
 Ashiq Hussain, Captain.  
 Badar-Mohy-ud-Din Qadri, Mian.  
 Balwant Singh, Sardar.  
 Binda Saran, Rai Bahadur.  
 Chhotu Ram, The Honourable  
 Chaudhri Sir.  
 Faiz Muhammad Khan, Rai.  
 Faqir Hussain Khan, Chaudhri.  
 Farman Ali Khan, Subedar Major.  
 Fazal Din, Khan Sahib Chaudhri.  
 Fazal Karim Bakhsh, Mian.  
 Few, Mr. E.  
 Ghazanfar Ali Khan, Raja.  
 Ghulam Mohy-ud-Din, Maulvi.  
 Ghulam Qadir Khan, Khan Baha-  
 dur.  
 Ghulam Rasul, Chaudhri.

Girdhari Das, Mahant.  
 Gopal Das, Rai Sahib Lala.  
 Gopal Singh (American), Sardar.  
 Gurbachan Singh, Sardar Sahib  
 Sardar.  
 Hans Raj, Bhagat.  
 Harnam Das, Lala.  
 Het Ram, Rai Sahib Chaudhri.  
 Indar Singh, Sardar.  
 Jahan Ara Shah Nawaz, Mrs.  
 Jahangir Khan, Chaudhri.  
 Jalal-ud-Din Amber, Chaudhri.  
 Khizar Hayat Khan Tiwana, The  
 Honourable Nawabzada Major.  
 Kishan Das, Seth.  
 Maqbool Mahmood, Mir.  
 Mubarik Ali Shah, Sayed.  
 Muhammad Akram Khan, Khan  
 Bahadur Raja.  
 Muhammad Ashraf, Chaudhri.  
 Muhammad Faiyaz Ali Khan,  
 Nawabzada.  
 Muhammad Hassan Khan Gurchani,  
 Khan Bahadur Sardar.  
 Muhammad Hayat Khan Noon,  
 Nawab Malik Sir.  
 Muhammad Jamal Khan Leghari,  
 Nawab Sir.

Muhammad Nawaz Khan, Major Sardar.	Ranpat, Chaudhri.
Muhammad Saadat Ali Khan, Khan Sahib Khan.	Ripudaman Singh, Thakur.
Muhammad Sarfraz Khan, Chau- dhri.	Roberts, Professor W.
Muhammad Sarfraz Khan, Raja.	Shahadat Khan, Khan Sahib Rai.
Muhammad Shafi Ali Khan, Khan Sahib Chaudhri.	Sham Lal, Rai Bahadur Chaudhri.
Muhammad Yasin Khan, Chaudhri.	Sikander Hyat-Khan, The Honour- able Major Sir.
Muzaffar Khan, Khan Bahadur Nawab.	Sumer Singh, Chaudhri.
Narendra Nathi, Diwan Bahadur Raja.	Sundar Singh Majithia, The Honour- able Dr. Sir.
Nasir-ud-Din Shah, Pir.	Suraj Mal, Chaudhri.
Nawazish Ali Shah, Sayed.	Tara Singh, Sardar.
Pir Muhammad, Khan Sahib Chaudhri.	Tikka Ram, Chaudhri.
	Ujjal Singh, Sardar Sahib Sardar.
	Wali Muhammad Sayyal Hiraj, Sardar.

## THE PUNJAB ANTI-PHOOKA BILL.

**Diwan Chaman Lall** (East Punjab, Non-Union Labour): Sir, I  
beg to move—

6 P.M.

That leave be granted to introduce the Punjab Anti-Phooka Bill.

*The motion was carried.*

**Diwan Chaman Lall**: I introduce the Punjab Anti-Phooka Bill.

## THE PUNJAB LAND REVENUE AMENDMENT BILL.

**Mian Muhammad Iftikhar-ud-Din** (Kasur, Muhammadan, Rural):  
I beg to move—

That leave be granted to introduce the Punjab Land Revenue (Amendment) Bill.

**Mr. Speaker**: Motion moved is—

That leave be granted to introduce the Punjab Land Revenue (Amendment) Bill.

**Minister for Revenue** (The Honourable Dr. Sir Sundar Singh Majithia): Sir, though I have got every sympathy with my zamindar friends who are affected by the proposals of my friend, yet I am constrained to oppose the motion for leave being granted to introduce it. At the same time I may assure honourable members that we will be willing to do all that is possible under the circumstances. I may be permitted to say that the proposal does in a way anticipate the decision of the Darling Committee which we have already appointed. We do not want to take any action on this measure till we have received Mr. Darling's report and considered it fully. After that we will take necessary action in the matter. As I have said, the proposal involves a very great amount to be given up from the provincial exchequer, which will affect many of the improvements and many of the activities of my honourable friends on my left. Surely, this House does not mean that we should stop those activities.

[ Minister for Revenue. ]

As I have said, we have appointed a commission which is going round and collecting evidence on the subject. The enquiry that is being held by Mr. M. L. Darling and his colleagues on the commission is a wide one and has got, as I said the other day, many of the points that are to be considered by that commission and which will, later on, have the consideration of the Government. When that time comes, we will do the needful in the matter. On the other hand I need not detain the House by saying what the Government has hitherto done because it was only day before yesterday that I gave figures of what Government has been able to do to relieve the sufferings and difficulties of my zamindar friends. I may inform the House that we are not behind anybody in our endeavours to relieve the sufferings of the zamindars. This method has been adopted to anticipate the report of Darling Committee. That is the reason why I object to this motion, otherwise there is no other reason to take this line of action.

**Mr. Speaker :** The question is—

That leave be granted to introduce the Punjab Land Revenue (Amendment) Bill.

*The Assembly divided : Ayes 81 : Noes 71.*

AYES.

Baldev Singh, Sardar.  
Bhagat Ram Choda, Lala.  
Bhagat Ram Sharma, Pandit.  
Bhim Sen Sachar, Lala.  
Chaman Lal, Diwan.  
Chanan Singh, Sardar.  
Duni Chand, Lala.  
Gopi Chand Bhargava, Dr.  
Hari Lal, Munshi.  
Hari Singh, Sardar.  
Harjab Singh, Sardar.  
Kabul Singh, Master.  
Kapoor Singh, Sardar.  
Kartar Singh, Chaudhri.  
Kartar Singh, Sardar.  
Lal Singh, Sardar.

Muhammad Abdul Rahman Khan,  
Chaudhri.  
Muhammad Alam, Dr. Sheikh.  
Muhammad Hassan, Chaudhri.  
Muhammad Iftikhar-ud-Din, Mian.  
Mula Singh, Sardar.  
Muni Lal Kalra, Pandit.  
Partab Singh, Sardar.  
Raghubir Kaur, Shrimati.  
Rur Singh, Sardar.  
Saif-ud-Din Kitchlew, Dr.  
Sampuran Singh, Sardar.  
Sant Ram Seth, Dr.  
Shri Ram Sharma, Pandit.  
Sohan Singh Josh, Sardar.  
Sudarshan, Lala.

NOES.

Abdul Haye, The Honourable Mian.  
Abdul Rahim, Chaudhri (Gurdaspur).  
Abdul Rahim, Chaudhri (Gurgaon).  
Ahmad Yar Khan Daultana, Khan Bahadur Mian.  
Akbar Ali, Pir.  
Ali Akbar, Chaudhri.  
Amjad Ali Shah, Sayed.  
Ashiq Hussain, Captain.  
Badar Mohy-ud-Din Qadri, Mian.

Balbair Singh, Rao Bahadur Captain.  
Rao.  
Balwant Singh, Sardar.  
Binda Saran, Rai Bahadur.  
Chhotu Ram, The Honourable Chaudhri Sir.  
Dasaundha Singh, Sardar.  
Fazal Din, Khan Sahib Chaudhri.  
Fazal Karim Bakhsh, Mian.  
Few, Mr. E.  
Ghazanfar Ali Khan, Raja.

Ghulam Mohy-ud-Din, Maulvi.  
 Ghulam Rasul, Chaudhri.  
 Girdhari Das, Mahant.  
 Gopal Das, Rai Sahib Lala.  
 Gopal Singh (American), Sardar.  
 Gurbachan Singh, Sardar Sahib Sardar.  
 Hans Raj, Bhagat.  
 Harnam Das, Lala.  
 Het Ram, Rai Sahib Chaudhri.  
 Inder Singh, Sardar.  
 Jagjit Singh Man, Sardar.  
 Jagjit Singh Bedi, Tikka.  
 Jahan Ara Shah Niwaz, Mrs.  
 Jahangir Khan, Chaudhri.  
 Jalal-ud-Din Amber, Chaudhri.  
 Karamat Ali, Shaikh.  
 Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major.  
 Kishan Das, Seth.  
 Maqbool Mahmood, Mir.  
 Mubarik Ali Shah, Sayed.  
 Muhammad Akram Khan, Khan Bahadur Raja.  
 Muhammad Ashraf, Chaudhri.  
 Muhammad Faiyaz Ali Khan, Nawabzada.  
 Muhammad Hassan Khan Gurohani, Khan Bahadur Sardar.  
 Muhammad Hayat Khan Noon, Nawab Malik Sir.  
 Muhammad Jamal Khan Leghari, Nawab Sir.  
 Muhammad Nawaz Khan, Major Sardar.

Muhammad Saadat Ali Khan, Khan Sahib Khan.  
 Muhammad Sarfraz Khan, Chaudhri.  
 Muhammad Sarfraz Khan, Raja.  
 Muhammad Yasin Khan, Chaudhri.  
 Mushtaq Ahmad Gurmani, Khan Bahadur Mian.  
 Muzaffar Khan, Khan Bahadur Nawab.  
 Narendra Nath, Diwan Bahadur Raja.  
 Nasir-ud-Din Shah, Pir.  
 Nawazish Ali Shah, Sayed.  
 Pir Muhammad, Khan Sahib Chaudhri.  
 Ram Sarup, Chaudhri.  
 Ranpat, Chaudhri.  
 Rashida Latif Baji, Begum.  
 Ripudaman Singh, Thakur.  
 Roberts, Professor W.  
 Shahadat Khan, Khan Sahib Rai.  
 Shah Nawaz Khan, Nawab Khan.  
 Sham Lal, Rai Bahadur Chaudhri.  
 Sikander Hyat-Khan, The Honourable Major Sir.  
 Sumer Singh, Chaudhri.  
 Sundar Singh Majithia, The Honourable Dr. Sir.  
 Suraj Mal, Chaudhri.  
 Tara Singh, Sardar.  
 Tikka Ram, Chaudhri.  
 Ujjal Singh, Sardar Sahib Sardar.  
 Wali Muhammad Sayyal Hiraj, Sardar.

### THE PUNJAB VILLAGE AND SMALL TOWNS PATROL (AMENDMENT) BILL.

**Sardar Harjab Singh** (Hoshiarpur South, Sikh, Rural) (*Urdu*):  
 I beg to move—

That leave be granted to introduce the Punjab Village and Small Towns Patrol (Amendment) Bill.

**Mr. Speaker :** Motion moved is—

That leave be granted to introduce the Punjab Village and Small Towns Patrol (Amendment) Bill.

**Mir Maqbool Mahmood** (Parliamentary Secretary): I object to leave being granted.

**Mr. Speaker :** The question is—

That leave be granted to introduce the Punjab Villages and Small Towns Patrol (Amendment) Bill.

*The Assembly divided : Ayes 90 : Noes 60.*

AYES.

Bhagat Ram Choda, Lala.  
Bhagat Ram Sharma, Pandit.  
Bhim Sen Sachar, Lala.  
Chaman Lall, Diwan.  
Chanan Singh, Sardar.  
Duni Chand, Lala.  
Gopi Chand Bhargava, Dr.  
Hari Lal, Munshi.  
Hari Singh, Sardar.  
Harjab Singh, Sardar.  
Kabul Singh, Master.  
Kapoor Singh, Sardar.  
Kartar Singh, Chaudhri.  
Kartar Singh, Sardar.  
Lal Singh, Sardar.

Muhammad Abdul Rahman Khan,  
Chaudhri.  
Muhammad Alam, Dr. Shaikh.  
Muhammad Hassan, Chaudhri.  
Muhammad Iftikhar-ud-Din, Mian.  
Mula Singh, Sardar.  
Muni Lal Kalia, Pandit.  
Partab Singh, Sardar.  
Prem Singh, Mahant.  
Raghubir Kaur, Shrimati.  
Rur Singh, Sardar.  
Saif-ud-Din Kitchlew, Dr.  
Sampuran Singh, Sardar.  
Shri Ram Sharma, Pandit.  
Sohan Singh Josh, Sardar.  
Sudarshan, Lala.

NOES.

Abdul Hamid Khan, Sufi.  
Abdul Haye, The Honourable  
Mian.  
Afzaalali Hasnie, Sayed.  
Ahmad Yar Khan Daulatana, Khan  
Bahadur Mian.  
Akbar Ali, Pir.  
Ali Akbar, Chaudhri.  
Amjad Ali Shah, Sayed.  
Ashiq Hussain, Captain.  
Balwant Singh, Sardar.  
Binda Saran, Rai Bahadur.  
Chhotu Ram, The Honourable  
Chaudhri Sir.  
Dasaundha Singh, Sardar.  
Fazal Karim Bakhsh, Mian.  
Few, Mr. E.  
Ghazanfar Ali Khan, Raja.  
Ghulam Mohy-ud-Din, Maulvi.  
Girdhari Das, Mahant.  
Gopal Singh (American), Sardar.  
Gurbachan Singh, Sardar Sahib  
Sardar.  
Hans Raj, Bhagat.  
Harnam Das, Lala.

Het Ram, Rai Sahib Chaudhri.  
Indar Singh, Sardar.  
Jagjit Singh Man, Sardar.  
Jahan Ara Shah Nawaz, Mrs.  
Jahangir Khan, Chaudhri.  
Jalal-ud-Din Amber, Chaudhri.  
Karamat Ali, Shaikh.  
Khizar Hayat Khan Tiwana, The  
Honourable Nawabzada Major.  
Kishan Das, Seth.  
Maqbool Mahmood, Mir.  
Muhammad Akram Khan, Khan  
Bahadur Raja.  
Muhammad Ashraf, Chaudhri.  
Muhammad Faiyaz Ali Khan,  
Nawabzada.  
Muhammad Hayat Khan Noon,  
Nawab Malik Sir.  
Muhammad Nawaz Khan, Major  
Sardar.  
Muhammad Saadat Ali Khan, Khan  
Sahib Khan.  
Muhammad Sarfraz Khan, Chau-  
dhri.  
Muhammad Sarfraz Khan, Raja.

Muhammad Shafi Ali Khan, Khan Sahib Chaudhri.  
 Muhammad Yasin Khan, Chaudhri.  
 Mushtaq Ahmad Gurmani, Khan Bahadur Mian.  
 Muzaffar Khan, Khan Bahadur Nawab.  
 Narendra Nath, Diwan Bahadur Raja.  
 Nasir-ud-Din Shah, Pir.  
 Nawazish Ali Shah, Sayed.  
 Pir Muhammad, Khan Sahib Chaudhri.  
 Ram Sarup, Chaudhri.  
 Ranpat, Chaudhri.

Ripudaman Singh, Thakur.  
 Roberts, Professor W.  
 Shahadat Khan, Khan Sahib Rai.  
 Shah Nawaz Khan, Nawab Khan.  
 Sham Lal, Rai Bahadur Chaudhri.  
 Sikander Hyat-Khan, The Honourable Major Sir.  
 Sundar Singh Majithia, The Honourable Dr. Sir.  
 Suraj Mal, Chaudhri.  
 Tikka Ram, Chaudhri.  
 Ujjal Singh, Sardar Sahib Sardar.  
 Wali Muhammad Sayyal Hiraj, Sardar.

### PUNJAB MUNICIPAL (AMENDMENT) BILL.

**Pandit Muni Lal Kalia** (Ludhiana and Ferozepore, General, Rural): Sir I beg to move—

That leave be granted to introduce the Punjab Municipal (Amendment) Bill.

**Mr. Speaker:** The motion is—

That leave be granted to introduce the Punjab Municipal (Amendment) Bill.

**Minister for Public Works:** Sir, I object to the motion.

**Pandit Muni Lal Kalia:** Sir, in view of the unreasonable attitude of the Unionist benches in opposing every Bill for the sake of opposition only I will content myself with only referring to the Statement of Objects and Reasons given in the annexure to the Bill in support of my motion for leave to introduce it. This Amendment Bill does not require any funds, it does not require any data, it only improves the position of the municipalities by removal of the nominated bloc, by giving certain rights to the members, by putting restrictions against the removal of the members and the president under certain conditions. This amendment is necessitated by the passage of the Government of India Act. Besides there are so many inconsistencies in this Act that its amendment is all the more important. I may remind the Unionist benches that when they brought forward similar amendments they staged a walk-out because their amendments were opposed by the then Government. I hope they will not be inconsistent. The passing of one or two years has not brought about any change. I hope that they will not oppose the present Bill. In view of the fact that similar steps are being taken in the neighbouring provinces—not only in the Muslim provinces but in the Congress provinces—I hope that the Ministry will not take a retrograde step but will move with the times. I hope they will not miss this opportunity. We are anxiously waiting to see what position the Government take in this matter.

**Minister for Public Works** (The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana): References have been made to a walk-out by the Unionist Party. I would like to say that the Bill at present under consideration has nothing to do with the Bill which necessitated

[Minister for Public Works.]

that walk-out. This Bill is a funny piece of legislation. It is sought by an amendment of the Act that if 500 people of any particular profession get together and organise themselves, they should be given a seat on a committee. If people begin to organise themselves, then before long we will have an unimaginable number of municipal commissioners. Leaving that aside there are many other undesirable provisions in this Bill.

**Dr. Shaikh Muhammad Alam :** Is it a discussion of the provisions ?

**Minister for Public Works :** One of the provisions seeks to curtail the powers of Government. The condition of local bodies is far from what it should be, and in order to improve them or to bring about a betterment it is very essential that Government should retain powers which the present Act gives them. That is not all. Curtailment has been further extended to the powers of the very electors for whose rights the honourable members opposite are always so keen. The present position is that an undesirable member can be removed if a majority of the electors make the demand. But under the new Amendment Bill that power is sought to be taken away. Then, we have got the main principle of the Bill, that is the elimination of the nominated bloc. This is impracticable for more than one reason. We have got open joint electorates in a majority of our municipal committees and if we do away with the nominated element, the result would be communal inequalities, and Government would be powerless to set them right. The Unionist Party is looking after communal interests, especially the interests of the minorities. We cannot agree to do away with nomination at present. The position of the scheduled classes would be deplorable if there were no nominated bloc. (*Interruption*). As regards interruption I may say that we were not responsible for the nominations in the last regime. As far as the interests of the scheduled castes are concerned, the present Government is very keen to look after them and the results would be judged by the nominations that we are making. I can only quote a recent instance where a member of a scheduled class has been particularly included in the nomination, and that policy we will follow. Otherwise the result would be that scattered as the Indian Christians and the scheduled classes are in various wards they would not be represented in the local bodies at all. The position is a difficult one and not so easy as the honourable mover of the Bill has stated.

Then he referred to the adjoining provinces. I know that a change on these lines has been brought about there. But it should not be concluded that it is a success. I fear that minorities in the North-West Frontier are protesting against the change. It is only an experiment and I am afraid that unless we proceed cautiously we may be doing injustice to the minorities and the scheduled classes. And that is what we want to avoid. We want to proceed cautiously. (*An honourable member : Reserve seats*). That will be a retrograde step. (*An honourable member : Have nominations in the Assembly*). At present we have got an unrestricted field of joint electorates. If we introduce reservation of seats, so many joint seats will have to be curtailed and the result will be the reverse of what we desire.

**Lala Bhim Sen Sachar :** Is the Government against joint electorates ?

**Minister for Public Works :** We are for *status quo* and for joint electorates if possible subject to the consent of the various interests concerned. No modification can be rushed through against the interests of the minorities. The matter is already under consideration with Government. It is a serious problem and the Unity Conference has been also considering it. The result of that conference is awaited. We are watching the whole position. As regards the success of that conference it is for honourable members opposite to do their best and to evolve an agreed formula which will facilitate the action of the Government. (*Cheers and counter cheers*). Unless an agreed formula is forthcoming it is very difficult for Government to act. When an agreed formula is forthcoming we will consider it. (*An honourable member : When ?*). It depends on the attitude of the various elements. There are many interests and the Unity Conference is supposed to be representative of all interests.

**Lala Bhim Sen Sachar :** There are only two interests, Unionists and non-Unionists.

**Minister for Public Works :** My honourable friend Diwan Chaman Lal was one of the principal supporters of that conference. The Government is faced with these difficulties at present. There are many other flaws in the Bill. The position is being watched and if any amendment is necessary the Government will come forward with its own proposals. With these words I oppose the motion. (*Cheers and counter cheers*).

**Mr. Speaker :** The question is—

That leave be granted to introduce the Punjab Municipal (Amendment) Bill.

*The Assembly divided : Ayes 30 : Noes 63.*

#### AYES.

Bhagat Ram Choda, Lala.  
Bhagat Ram Sharma, Pandit.  
Bhim Sen Sachar, Lala.  
Chaman Lal, Diwan.  
Chanan Singh, Sardar.  
Duni Chand, Lala.  
Gopi Chand Bhargava, Dr.  
Hari Lal, Munshi.  
Hari Singh, Sardar.  
Harjab Singh, Sardar.  
Kabul Singh, Master.  
Kapoor Singh, Sardar.  
Kartar Singh, Chaudhri.  
Kartar Singh, Sardar.  
Lal Singh, Sardar.

Muhammad Abdul Rahman Khan,  
Chaudhri.  
Muhammad Alam, Dr. Shaikh.  
Muhammad Hassan, Chaudhri.  
Muhammad Iftikhar-ud-Din, Mian.  
Muni Lal Kalia, Pandit.  
Partab Singh, Sadar.  
Prem Singh, Mahant.  
Raghubir Kaur, Shrimati.  
Rur Singh, Sardar.  
Saif-ud-Din Kitchlew, Dr.  
Sampuran Singh, Sardar.  
Sant Ram Seth, Dr.  
Shri Ram Sharma, Pandit.  
Sohan Singh Josh, Sardar.  
Sudarshan, Lala.

#### NOES.

Abdul Hamid Khan, Sufi.  
Abdul Haye, The Honourable Mian.  
Abdul Rahim, Chaudhri (Gurdaspur).

Afzaalahi Hasnie, Sayed.  
Ahmad Yar Khan Daulatana, Khan  
Bahadur Mian.  
Akbar Ali, Pir.

Ali Akbar, Chaudhri.  
 Amjad Ali Shah, Sayad.  
 Ashiq Hussain, Captain.  
 Balwant Singh, Sardar.  
 Binda Saran, Rai Bahadur.  
 Chhotu Ram, The Honourable  
     Chaudhri Sir.  
 Dasaundha Singh, Sardar.  
 Faiz Muhammad, Shaikh.  
 Fazal Din, Khan Sahib Chaudhri.  
 Fazal Karim Bakhsh, Mian.  
 Few, Mr. E.  
 Ghazanfar Ali Khan, Raja.  
 Ghulam Mohy-ud-Din, Maulvi.  
 Gopal Singh (American), Sardar.  
 Gurbachan Singh, Sardar Sahib  
     Sardar.  
 Hans Raj, Bhagat.  
 Harnam Das, Lala.  
 Indar Singh, Sardar.  
 Jagjit Singh Man, Sardar.  
 Jahan Ara Shah Nawaz, Mrs.  
 Jahangir Khan, Chaudhri.  
 Karamat Ali, Shaikh.  
 Khizar Hayat Khan Tiwana, The  
     Honourable Nawabzada Major.  
 Kishan Das, Seth.  
 Maqbool Mahmood, Mir.  
 Mubarik Ali Shah, Sayed.  
 Muhammad Akram Khan, Khan  
     Bahadur Raja.  
 Muhammad Ashraf, Chaudhri.  
 Muhammad Faiyaz Ali Khan,  
     Nawabzada.  
 Muhammad Hassan Khan Gurchani,  
     Khan Bahadur Sardar.  
 Muhammad Hayat Khan Noon,  
     Nawab Malik Sir.

Muhammad Jamal Khan Leghari,  
     Nawab Sir.  
 Muhammad Nawaz Khan, Major  
     Sardar.  
 Muhammad Saadat Ali Khan, Khan  
     Sahib Khan.  
 Muhammad Sarfraz Khan, Chau-  
     dhri.  
 Muhammad Sarfraz Khan, Raja.  
 Muhammad Yasin Khan, Chaudhri.  
 Mushtaq Ahmad Gurmani, Khan  
     Bahadur Mian.  
 Muzaffar Ali Khan Qizilbash, Sar-  
     dar.  
 Muzaffar Khan, Khan Bahadur  
     Nawab.  
 Narendra Nath, Diwan Bahadur  
     Raja.  
 Nasir-ud-Din Shah, Pir.  
 Nawazish Ali Shah, Sayed.  
 Pir Muhammad, Khan Sahib Chau-  
     dhri.  
 Ram Sarup, Chaudhri.  
 Ranpat, Chaudhri.  
 Ripudaman Singh, Thakur.  
 Roberts, Professor W.  
 Shahadat Khan, Khan Sahib Rai.  
 Shah Nawaz Khan, Nawab Khan.  
 Sham Lal, Rai Bahadur Chaudhri.  
 Sikander Hyat-Khan, The Honour-  
     able Major Sir.  
 Sundar Singh Majithia, The Honour-  
     able Dr. Sir.  
 Tara Singh, Sardar.  
 Tikka Ram, Chaudhri.  
 Ujjal Singh, Sardar Sahib Sardar.  
 Wali Muhammad Sayyal Hiraj,  
     Sardar.

### THE PUNJAB MUSLIM AUQAF BILL.

**Mr. Speaker :** According to my ruling already given, the honourable member, Mir Maqbool Mahmood, cannot proceed with the Punjab Muslim Auqaf Bill on a private business day.

**Mir Maqbool Mahmood :** Will that ruling have retrospective effect.

**Premier :** The position in regard to this Bill is that it was introduced by my young friend, Mir Maqbool Mahmood, before he was appointed a Parliamentary Secretary. His request for a ruling whether your present

ruling will have retrospective effect is very pertinent. I shall be grateful for a ruling from the Chair on that point.

**Mr. Speaker :** It will not have a retrospective effect.

**Mir Maqbool Mahmood :** Can I proceed with it now ? I introduced this Bill before I became a Parliamentary Secretary.

**Mr. Speaker :** No. The honourable member cannot proceed with it now. According to my ruling parliamentary secretaries cannot introduce or proceed further with Bills or move resolutions on days allotted for business other than Government business. The honourable member introduced the Auqaf Bill when he was not a parliamentary secretary. To-day is the day for business other than the Government business. Therefore, according to my ruling, he cannot proceed with his Bill to-day. I hope, however, that the Honourable Leader of the House will give him time on a Government day.

**Premier :** That is why I asked for your ruling on that point. As a matter of fact, since this Bill was introduced with the consent of the House, I think the Government is morally bound to provide time for it. I am afraid it will not be possible for me to find time during the present session, but it may be possible to find time for it during the next session of the Assembly.

**Dr. Shaikh Muhammad Alam :** We will then see whether the Bill can be proceeded with or not and you will give your ruling after that.

**Mr. Speaker :** Is there any objection ?

**Dr. Shaikh Muhammad Alam :** Whatever objection may be, we will raise then.

*The Assembly then adjourned till 2 P. M. on Monday, 24th January, 1938.*

1917

1. The first of the three main branches of the  
theology of the church is the doctrine of God.

2. The second of the three main branches of the

theology of the church is the doctrine of man.

3. The third of the three main branches of the



1917

1. The first of the three main branches of the  
theology of the church is the doctrine of God.

# PUNJAB LEGISLATIVE ASSEMBLY

1ST SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Monday, 24th January, 1938.

*The Assembly met at the Council Chamber at 2 P. M. of the clock. Mr. Speaker in the chair.*

## STARRED QUESTIONS AND ANSWERS.

### -EXCISE DUTY ON MATCHES.

**\*1179. Khawaja Ghulam Hussain :** Will the Honourable Minister for Finance be pleased to state—

- the number of match factories in the Punjab immediately before the imposition of excise duty by the Government of India ;
- how many match factories in the Punjab have been closed after the imposition of excise duty ;
- the causes of closing down the factories mentioned in part (b) ;
- what were the rates of matches per gross after and before the imposition of excise duty ;
- whether the Government proposes to take any action in the matter ?

**The Honourable Mr. Manohar Lal :** (a) Two, one at Shahdara, district Sheikhpura, and the other at Gujranwala.

(b) Two, both situated at Gujranwala. One of these factories was started after the imposition of excise duty.

(c) Government has no exact information, but both these factories were small establishments and probably could not maintain their position in the market in competition with large factories. Probably the imposition of excise duty on matches also affected those factories to some extent.

(d) The rates of matches per gross were as under :—

		Before the imposition of excise duty.			After the imposition of excise duty.		
		Rs.	A.	P.	Rs.	A.	P.
(i) Match Factories at Gujranwala	..	0	13	0	1	8	0
			to			to	
		0	15	0	1	10	0
(ii) Match Factory at Shahdara	..	1	10	0	1	9	0
(iii) Match Factory at Ludhiana	..	..			1	9	0
						to	
					1	10	0

[Finance Minister.]

(e) No. The excise duty on matches is a Central subject and the Punjab Government merely act as agents of the Government of India for its administration.

**Khawaja Ghulam Hussain :** Has any representation been actually made on the subject to the Government of India regarding the effect of the imposition of this duty?

**Minister :** I am not aware.

**Khawaja Ghulam Hussain :** Has the Punjab Government been submitting any report—four-monthly or six-monthly to the Government of India?

**Minister :** All necessary information has been duly sent to the Government of India. If the honourable member wants any precise information, he will kindly frame a definite inquiry.

**Khawaja Ghulam Hussain :** May I know what is the reply of the Government of India to the representation of the Punjab Government?

**Minister :** No representation as such has been addressed to the Government of India.

**Diwan Chaman Lall :** Is the Honourable Member aware that the match industry in India is practically completely in the hands of foreigners and that that is the reason for the closing down of indigenous factories?

**Minister :** That may probably be a fact. I am glad to be furnished with the information.

**Diwan Chaman Lall :** Has the Honourable Member taken any steps to prevent closing down of these factories?

**Minister :** The question of the honourable member from Lyallpur was with regard to the imposition of excise duty, that is a matter which lies with the Government of India. I have given him all the necessary information. As regards why these factories have been closed down, I have already submitted that they were small establishments and could not maintain their position in competition with large factories.

**Lala Bhim Sen Sachar :** Is the Honourable Member aware that the match industry in India is only in its infancy?

**Minister :** It is below the infant stage.

**Lala Bhim Sen Sachar :** Under the circumstances what do the Punjab Government propose to do with regard to the encouragement of this industry?

**Diwan Chaman Lall :** With reference to part (e) of the question, is the Government prepared to consider the possibility of nationalisation of the match industry in the Punjab?

**A voice :** That is a request for action.

#### TRAVELLING ALLOWANCES PAID TO VARIOUS MINISTERS.

\*1198. **Pandit Shri Ram Sharma :** Will the Honourable Premier be pleased to state the total amount of travelling allowance paid every month to various ministers from 1st April to 31st December, 1937, for journeys

undertaken by them for public business and also the amount of money separately that each minister got in respect of journeys made in hilly tracts?

**Parliamentary Secretary** (Mir Maqbool Mahmood): Total travelling allowance drawn by the Honourable Premier and the Honourable Ministers during the month of—

				Rs.	A.	P.
April, 1937	..	..	..	1,777	8	0
May, 1937	..	..	..	2,224	3	0
June, 1937	..	..	..	280	5	0
July, 1937	..	..	..			
August, 1937	..	..	..	3,908	4	0
September, 1937	..	..	..	1,976	4	0
October, 1937	..	..	..	3,173	14	0
November, 1937	..	..	..	2,560	5	0
December, 1937	..	..	..	1,572	0	0
Total				17,472	11	0

Amount of travelling allowance drawn in respect of journeys in hill tracts is—

				Rs.	A.	P.
The Honourable Premier	..	..	..	165	8	0
The Honourable Minister of Revenue	..	..	..			
The Honourable Minister of Development	..	..	..	621	0	0
The Honourable Finance Minister	..	..	..			
The Honourable Minister of Public Works	..	..	..	66	12	0
The Honourable Minister of Education	..	..	..	84	0	0

**Pandit Shri Ram Sharma**: Will the Parliamentary Secretary be pleased to state the allowances allowed in plains as well as in hilly tracts?

**Parliamentary Secretary**: I have already answered that question.

**Pandit Shri Ram Sharma**: What is the allowance given per mile?

**Parliamentary Secretary**: The honourable member is referred to the Travelling Allowance Rules.

**Diwan Chaman Lall**: Was the journey for which the Honourable Premier has drawn 60 odd rupees performed on public business? (*No reply.*)

**Diwan Chaman Lall**: May I ask which particular journey he undertook?

**Parliamentary Secretary :** If the honourable member is particularly interested in that question, he can give notice.

**Diwan Chaman Lall :** What particular hilly tract journey the Honourable Minister for Development undertook? (*No reply*).

Will the Honourable member be pleased to answer my question? I asked, will he specify the particular hilly tract journeys undertaken by the Honourable Minister for Development?

**Parliamentary Secretary :** I have already stated that if the honourable member is particularly interested in getting further details, he may give a formal notice of that question and it will be looked into.

**Diwan Chaman Lall :** May I take it that the honourable member has not at his disposal the information asked for at the present time?

**Lala Bhim Sen Sachar :** Is it a fact that the Honourable Minister for Development undertook an official tour to Kashmir?

**Parliamentary Secretary :** I think that probably he did undertake an official tour to Kashmir.

**Lala Bhim Sen Sachar :** And this hill journey is covered by that question for which the honourable member wants notice.

**Parliamentary Secretary :** I am not sure of that question but presumably portion of that tour was performed in this hilly tract.

**Sardar Lal Singh :** Is there any limit or control over the tours of these Honourable Ministers?

**Parliamentary Secretary :** This question does not arise out of the main question.

**Mr. Speaker :** The next question.

#### CONVICTS IN SECOND LAHORE CONSPIRACY CASE.

**\*1200. Pandit Shri Ram Sharma :** Will the Honourable Finance Minister be pleased to state—

- (a) the total number of convicts in the Second Lahore Conspiracy Case and the number of those among them who are still in jail and the term of imprisonment they have yet to undergo ;
- (b) the number and names of absconders in the said case who have not yet been traced ;
- (c) whether Government has knowledge that any one of these absconders has since died ;
- (d) whether the Government contemplates releasing those who are in jails and pardoning those who are absconding ?

**The Honourable Mr. Manohar Lal :** (a) The total number of convicts in the Second Lahore Conspiracy Case was 15. Out of the 6 still in jails, 5 are undergoing sentences of transportation for life and the 6th is undergoing a sentence of 7 years' rigorous imprisonment. The unexpired portion of the sentence of this man is approximately one year.

(b) One ; Lekh Ram.

(c) No.

(d) Government does not contemplate this at present.

**Pandit Shri Ram Sharma :** What information do the Government possess regarding Lekh Ram ?

**Minister :** He is absconding. I wish I had some information about him.

**Pandit Shri Ram Sharma :** Is he alive ?

COMPLAINTS IN COURT OF 1ST CLASS MAGISTRATE AT LUDHIANA.

**\*1209. Sardar Lal Singh :** Will the Honourable Minister for Finance be pleased to state—

(a) the total number of complaints entertained by the 1st class magistrate at Ludhiana during the first seven months of the current financial year, that is from 1st April, 1937 to 31st October, 1937;

(b) the number of complaints among those that were summarily dismissed and number of those which were dismissed under section 203, Criminal Procedure Code ?

**The Honourable Mr. Manohar Lal :** (a) 453.

(b) 121 and 180, respectively.

**Khawaja Ghulam Hussain :** Are there any instructions to the magistracy to discourage private complaints ?

**Mr. Speaker :** This question does not arise from the answer to the question.

KEEPING OF MILCH ANIMALS BY THE OFFICIALS OF CRIMINAL TRIBES DEPARTMENT.

**\*1215. Chaudhri Kartar Singh :** Will the Honourable Minister for Finance be pleased to state whether it is a fact that the Criminal Tribes Department have issued a circular prohibiting the keeping of milch animals by officials below the rank of Superintendent ; if so, reasons for the same ?

**The Honourable Mr. Manohar Lal :** Yes, a copy of the circular is laid on the table. The object is to stop corruption and to safeguard the interests of members of criminal tribes who in the past have complained that they were forced to supply fodder free or at nominal price.

*Copy of a circular No. 105/23/C/1937, dated 21st September, 1937, from the Deputy Commissioner for Criminal Tribes, Reclamation Officer and Inspector-General of Reformatory Schools, Punjab, Lahore. to (1) Superintendent, Reformatory Farms, Burewala. (2) Superintendent, Reformatory Settlement, Amritsar. (3) Superintendent, Reformatory*

[Finance Minister.]

*School, Delhi, (4) Superintendents of all Criminal Tribes Settlements, including Probation and Criminal Tribes Officers, Kacha Khu, Okara, and Sialkot; and (5) Superintendents, Biloch Villages, Sabrah Villages and Harni Villages.*

**SUBJECT:—***Keeping of milch animals by the staff of Punjab Reclamation and Criminal Tribes Department.*

The following instructions are issued to consolidate the existing instructions regarding the keeping of milch animals by the staff of Reclamation and Criminal Tribes Department and to clarify certain doubtful points:—

*Criminal Tribes Department.*

1. The Superintendents of all Criminal Tribes Settlements and villages under direct control can keep one milch animal, either a buffalo or a cow. Those officers who are getting a horse allowance can also keep a horse in addition to a milch animal.

2. Assistant Superintendents in Rs. 80—5—120 grade and Rs. 60—5—120 grade at Reformatory Settlement, Amritsar and Kussamsar, can also keep one milch animal, i.e., either a buffalo or a cow.

3. Assistant Superintendents and Teachers in Settlements situated in forest plantation can keep one milch animal either a buffalo or a cow provided the Forest Department allow free grazing or grazing at a small fee.

**NOTE.**—All officials keeping milch animals should maintain a regular account of the fodder consumed which should be produced for the inspection of the visiting officers.

*Reclamation Department.*

The concession of keeping milch animals at the Reformatory Farms, Burewala, is limited to the Superintendent, Farm Managers, and Agriculture Assistant only. These officers also enjoy the concession of fodder from the Demonstration Farm at fixed monthly charges of Rs. 6 for a buffalo or Rs. 5 for a cow, subject to the condition that surplus fodder is available at the Farm, vide Punjab Government memorandum no. 16800-Jails, dated the 18th May, 1928.

No other official is permitted to keep milch or any other animal.

*For Probation and Criminal Tribes Officer, Lyallpur.*

This also disposes of your endorsement No. 184, dated 10th August, 1937, forwarding the application of Teacher in charge, Niamoana for permission to keep a milch animal.

COMPLAINT MADE BY CHARAN SINGH.

**\*1242. Sardar Hari Singh:** Will the Honourable Finance Minister be pleased to state—

(a) whether it is a fact that Charan Singh, an undertrial prisoner in Hoshiarpur sub-jail, has submitted a complaint to the District Magistrate, Hoshiarpur, against the Superintendent of Police, alleging to have been beaten under his orders and in his presence while in the Police lock-up in the Kachery premises on 19th October last;

(b) whether it is a fact that the said Charan Singh was conveyed from Police lock-up to the sub-jail on 19th October in a tonga, if so, why;

(c) whether it is a fact that the said Charan Singh's bodily injuries were examined by the jail medical officer on 20th October ; if so, what was the report of his examination ;

(d) the action taken by the Government on the complaint mentioned in (a) above ?

**The Honourable Mr. Manohar Lal :** (a) No such complaint was made to the District Magistrate, Hoshiarpur.

(b) There is no note in the jail record that Charan Singh was conveyed from the police lock-up to the sub-jail on October the 19th in a tonga nor has the Superintendent of the Sub-Jail any recollection that this in fact occurred.

(c) Yes. The report is laid on the table.

(d) On receipt of the report the District Magistrate instituted enquiries, the result of which showed that this under-trial prisoner had been behaving in an abusive and unruly manner, that he had assaulted the *hawalat* guard and was handcuffed with difficulty. He attempted to strike his head and legs against the wall and floor of the lock-up apparently with the deliberate intention of causing himself injuries. The District Magistrate was satisfied that such injuries as were shown by the medical report were largely self-inflicted, though some bruises must have been caused during the scuffle he had with the police, but that none of the marks were caused by *lathis*. In view of the District Magistrate's report Government do not consider any further action necessary.

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*(Report by the Jail Medical Officer.)*

Charan Singh, son of Ganga Singh, a resident of Khanpur, Police Station Mahalpur, who went into the court yesterday, has requested me to write down the injuries which he has received yesterday in the judicial lock-up.

I find the following injuries over his person—

- (1) An abrasion oblique  $3\frac{1}{2}" \times \frac{1}{2}"$  over right knee cap.
  - (2) Swelling over right outside at the forehead in 1" circumference.
  - (3) A circular abrasion  $\frac{1}{2}"$  in the lower  $\frac{1}{3}$ rd of back over right side.
  - (4) An oblique abrasion  $\frac{1}{2}" \times \frac{1}{2}"$  over back and outer aspect of left elbow.
- 

POLITICAL PRISONERS.

**\*1251. Dr. Gopi Chand Bhargava :** Will the Honourable Finance Minister be pleased to lay on the table a statement showing the names of the political prisoners confined in the Punjab Jails, the sections under which each of these has been convicted, the sentences awarded to each of them, and the periods of sentences already undergone by each of them and the probable dates of their release in each case ?

**The Honourable Mr. Manohar Lal :** If the honourable member will state exactly what he means by the expression 'political prisoners', the information required will be collected and supplied to him.

**Lala Deshbandhu Gupta :** Will the Honourable Minister for Finance kindly give the definition of 'political prisoners'?

**Minister :** That will be very presumptuous on my part.

**Lala Deshbandhu Gupta :** May we know as to what is, according to him, the definition of 'political prisoners'?

**Minister :** The point is not what is the correct definition according to me, but what is the correct definition according to the person who is curious to have the information.

**Lala Deshbandhu Gupta :** Will you accept our definition?

**Diwan Chaman Lall :** Will the Honourable Minister for Finance be satisfied with this definition—Prisoners convicted for offences which do not involve moral turpitude? Will he be satisfied that all those prisoners be called 'political prisoners' who have been charged under section 124-A or under the Criminal Law (Amendment) Act or Regulation 3 of 1818?

**Minister :** It will not serve any useful purpose by seeking to define in this roundabout manner. The honourable member may please state exactly the position. It is not a question of what my views on a particular matter are.

**Diwan Chaman Lall :** Is it not a fact that he is evading the definition of 'political prisoners' when he knows what is meant by a 'political prisoner'? Under these circumstances who is going wrong?

**Mr. Speaker :** Such remarks are uncalled for.

**Dr. Gopi Chand Bhargava :** May I know whether the Honourable Minister has been dealing with these cases when he decided that a special class of treatment be given to such and such a person? May I know what cases of political prisoners he dealt with?

**Sardar Hari Singh :** May I, with your permission, ask the Honourable Minister to state whether he is aware of the fact that a discussion on the release of political prisoners was held in the Simla session of the Assembly and the definition of 'political prisoners' was made perfectly clear?

**Minister :** I am aware that a discussion did take place. I am not aware that any definition was laid down by this House.

**Sardar Hari Singh :** Will he refer to the debates?

**Minister :** I have read them quite recently.

**Pandit Shri Ram Sharma :** How did the Government define the words "political prisoners" before 1st April, 1937?

**Mr. Speaker :** I do not think that question is in order.

SEATING ARRANGEMENTS FOR PUBLIC IN VARIOUS COURTS IN  
DISTRICT HOSHIARPUR.

\*1288. **Sardar Hari Singh** : Will the Honourable Finance Minister be pleased to state—

(a) whether he is aware that adequate and satisfactory arrangements for (i) the seating of litigant public and other members of the public on business and (ii) their protection against weather do not exist at district courts, Hoshiarpur, and headquarters of various tahsils of the said district ;

(b) if answer to (a) above be in the affirmative, what steps Government propose to take in the matter ?

**The Honourable Mr. Manohar Lal** : (a) Arrangements for the seating and protection against weather of the litigant public and other members of the public exist in all the courts in the Hoshiarpur district except at Una and Garhshankar.

(b) The question of construction of a suitors' shed at Una is under consideration. No complaints from the public of Una or Garhshankar have been received.

RELEASE OF ANDAMAN PRISONERS.

\*1314. **Master Kabul Singh** : Will the Honourable Finance Minister be pleased to state whether the statement recently issued to the press by Andaman prisoners, in reply to Mahatma Gandhi's telegram, to the effect that they have no faith in violence has been brought to his notice ; if so, whether the Government now intends to release the Punjab prisoners in Andamans ?

**The Honourable Mr. Manohar Lal** : Government have seen reports in the press of some correspondence between Mahatma Gandhi and the Andaman prisoners. As regards the policy of the Punjab Government the honourable member is referred to the answer given to question No. \*879<sup>1</sup>.

**Chaudhri Kartar Singh** : Will the Honourable Minister for Finance be pleased to state whether the political prisoners kept in the Montgomery jail expressed any views during his visit to that jail ?

**Minister** : I had quite lengthy conversations with several of these prisoners who are in the Montgomery Jail.

**Chaudhri Kartar Singh** : What did they say ?

**Minister** : Does it arise out of the question ? The question was regarding a correspondence between Mahatma Gandhi and the Andaman prisoners.

**Chaudhri Kartar Singh** : Is the Honourable Minister prepared to give details of his conversation with them ?

**Minister** : Shall I be in order ?

**Lala Deshbandhu Gupta** : Is not the assurance given by the prisoners that they do not believe any longer in the cult of violence sufficient for the Government to release them ?

**Minister :** In this regard may I refer the honourable member to the statement by the Honourable Premier as regards the policy of the Government ?

**Lala Deshbandhu Gupta :** Is it a fact that in accordance with the views expressed by the Honourable Premier, an assurance was given by one particular prisoner and he was not released even then ?

**Minister :** I am not aware of it.

#### HONORARY MAGISTRATES.

**\*1330. Lala Deshbandhu Gupta :** Will the Honourable Premier be pleased to state—

- (a) the total number of honorary magistrates in the province and the number of those among them who are graduates ;
- (b) whether it is a fact that some of these magistrates are not even matriculates ; if so, the number of such honorary magistrates ;
- (c) whether it is a fact that some of these honorary magistrates hold courts at their residence and at irregular hours ;
- (d) whether it is also a fact that some of these magistrates rely on their sarishtadars for writing judgments for them and for that reason cause inconvenience and in some cases harm to the members of the public who have to deal with them ; if so, the action that Government proposes to take in the matter ?

**Parliamentary Secretary (Mir Maqbool Mahmood) :** (a) and (b) Particulars of all the honorary magistrates and honorary subordinate judges in the province are regularly published in the Half-Yearly Civil List (Part II). I regret that I cannot undertake to give further particulars beyond those that appear in the list. Figures are not readily available showing how many honorary magistrates are graduates, but the number would not be large. Undoubtedly there are many who have not passed the matriculation examination, but this does not mean that they are unfitted for their duties. As explained in the reply to question 135<sup>1</sup>, put by the honourable member for the Southern Towns (Muhammadan) Urban Constituency in the Simla session, before appointing an honorary magistrate and before renewing powers of any of the existing magistrates Government invariably satisfy themselves that the gentleman concerned is at least able to read and write the vernacular fluently.

(c) It is correct that some of the honorary magistrates work in court-houses forming part of or adjacent to their own residences. The rules require that they shall observe the regular court hours and Government have no reason to think that they do not do so.

(d) The law is that the judgment shall either be written by the presiding officer in his own hand or be taken down from his dictation, and there is no reason to think that it is not observed. I may remind the honourable member that all honorary courts are regularly inspected. Their work is moreover under constant supervision by the authorities before whom their judgments come in appeal.

PRISONERS ON PROBATION.

**\*1341. Lieutenant Sodhi Harnam Singh :** Will the Honourable Finance Minister be pleased to state—

- (a) the number of prisoners in the province who are on probation and the names of places where they are working at present ;
- (b) whether there is a sufficient number of probationers to meet the demand of the people for them ;
- (c) if the answer to (b) above be in the negative, the action, if any, the Government intends to take in the matter ?

**The Honourable Mr. Manohar Lal :** (a) 798. The places where they are working are spread all over the province. The labour and expense involved in collecting detailed information would not be commensurate with the results ;

(b) The demand is much in excess of the supply ;

(c) The demand of the public for this form of labour cannot be considered sufficient to override other considerations of public policy, which determine the probationary release of prisoners.

DEHAT SUDHAR.

**\*1352. Chaudhri Muhammad Hasan :** Will the Honourable Minister of Education be pleased to state—

- (a) whether it is a fact that “ Dehat Sudhar ” or a paper by the name of “ Zamindar ” has been started in the Ludhiana district with the District Inspector of Schools as its editor and one of the Assistant District Inspectors as its assistant editor ;
- (b) whether the said District Inspector of Schools, Ludhiana obtained the permission of the Head of the Department of Education before accepting the duties of editor of the above-mentioned paper ; if not, the action Government propose to take in the matter ?

**The Honourable Mian Abdul Haye :** (a) Yes. The District Inspector and one of the Assistant District Inspectors of Schools are working as honorary joint editors.

(b) No. Steps are being taken to regularise the matter.

**Chaudhri Muhammad Hasan :** Does the Honourable Minister know that this paper indulges in party politics ?

**Minister :** It is meant for the ‘ Dehat Sudhar ’.

**Chaudhri Muhammad Hasan :** Is it a fact that there are several articles against the Congress which have appeared in this paper ?

**Minister :** I am not aware of that.

**Pandit Muni Lal Kalia :** Has it got any connection with the educational activities of the province ?

**Minister :** Surely.

**Pandit Muni Lal Kalia :** In what respect ?

**Minister :** It is a matter of detail which I am not prepared to answer.

**Chaudhri Muhammad Hasan :** Has the policy of the paper been approved by the Minister ?

**Minister :** It has never been referred to the Minister.

**Lala Deshbandhu Gupta :** Do Government share any expenditure in connection with this publication ?

**Minister :** I would require notice for that.

**Dr. Sant Ram Seth :** Has the Minister read this paper ?

**Minister :** I have read it occasionally.

#### LAND GRANTS TO PEOPLE IN LUDHIANA DISTRICT.

**\*1353. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether any land grants have been made in the Ludhiana district on the ground of insufficiency of means for maintenance to certain families after 1910 ;

(b) if the reply to (a) above be in the affirmative, the names of the said grantees in Ludhiana district ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes. In the Nili Bar Colony 150 rectangles were granted to those whose holdings of land in their home districts were exceptionally small and 100 rectangles to those whose land had suffered from river action. Similarly 20 squares were granted to persons, suffering from waterlogging and erosion in the Ludhiana Sutlej Bet area, in the Pir Mahal and Khikha extensions of the Lower Chenab Colony.

It is also probable that previous to this a number of other grants of land from this district were made in the Lower Bari Doab Colony and elsewhere ; but details are not immediately forthcoming and Government consider that the labour of collecting such information would not be commensurate with the results obtained.

(b) The names<sup>1</sup> of those who were granted land on account of small holdings in the Nili Bar Colony are laid on the table.

#### AVERAGE INCOME OF A LANDHOLDER IN BEIT ILAQA, LUDHIANA.

**\*1354. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Revenue be pleased to state the present average income of a landholder in the Beit illaqa of the Ludhiana district according to the normal rate kept in the tahsil ?

**The Honourable Dr. Sir Sundar Singh Majithia :** No accurate estimate is available.

<sup>1</sup>Kept in the Library.

**Chaudhri Muhammad Hasan :** Why ?

**Minister :** Because it is not available.

**Pandit Muni Lal Kalia :** Is there any likelihood of its being available ?

**Minister :** If it were available, it would be given to the House.

**CRIMINAL WORK DONE BY REVENUE OFFICERS IN LUDHIANA DISTRICT.**

**\*1355. Chaudhri Muhammad Hasan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the number of criminal cases already decided during the last four months and at present pending in the courts of the tahsildar and naib-tahsildars, Ludhiana ;
- (b) the number of criminal cases pending and decided by the tahsildar and naib-tahsildar of Jagraon during the last four months ;
- (c) the number of Revenue appeals decided by the Collector of Ludhiana during the last four months ;
- (d) the action the Government intends to take to reduce the Criminal work of the Revenue officers in the Ludhiana district ?

**The Honourable Dr. Sir Sundar Singh Majithia :**

		<i>Criminal cases.</i>	
		<i>Decided.</i>	<i>Pending.</i>
(a)			
	Tahsildar, Ludhiana .. ..	58	36
	Naib-Tahsildar, Ludhiana .. ..	74	13
(b)	Tahsildar, Jagraon .. ..	71	5
	Naib-Tahsildar, Jagraon .. ..	45	9
(c)	73.		
(d)	No action is necessary.		

**NUMBER OF CASES DECIDED BY MAGISTRATES IN LUDHIANA DISTRICT.**

**\*1356. Chaudhri Muhammad Hasan :** Will the Honourable Premier be pleased to state—

- (a) the number of cases decided by each of the magistrates in the Ludhiana district from the 1st November, 1937, till the 22nd of December, 1937 ;
- (b) the travelling allowance drawn by the said magistrates individually during the period mentioned above ;
- (c) the places of halt of each of the said magistrates during these months outside the headquarters ;
- (d) the number of cases decided or concluded by the said magistrates during their halt outside the headquarters ;
- (e) the travelling allowance drawn by the District Magistrate and the Revenue Assistant from 1st November till the end of December, 1937, separately ?

**Parliamentary Secretary (Mir Maqbool Mahmood):** A statement giving the requisite information is laid on the table.

*Statement.*

Serial No.	Name of magistrate.	Number of cases decided by each of the magistrates in the Ludhiana district from the 1st November, 1937, till the 22nd of December, 1937.	Travelling allowance drawn by these magistrates during the period from the 1st November to the 22nd December, 1937	Places of halt of each of these magistrates during November and December, 1937, outside head-quarters.	Number of cases decided or concluded by these magistrates during their halts outside head-quarters.
			Rs. A. P.		
1	Sheikh Muhammad Rashid.	434	222 13 0	Shehna, Dhuri, Akhara, Bul, Samrala, Akalgarh, Khanna, Jaghera, Bassian, Dhapali and Malaudh.	76
2	Lala Kanwal Nain..	66	38 1 0	Kohara, Sangrur, Machhiwara, Akhara and Khanna.	11
3	Ch. Walyat Hussain	28	Nil	Nil	Nil.
4	S. Lal Singh ..	35	206 11 0	Kaler, Bassian, Sidhwan Bet, Chakar, Raekot, Akhara, Samrala, Dakha and Rurka.	8
5	M. Muhammad Akram.	119	156 0 0	Jagraon, Dehlon and Samrala.	Nil.
6	Kanwar Shiv Singh	Nil	37 4 0	Kohara, Khanna and Garhi.	Nil.

The travelling allowance drawn by the District Magistrate and the Revenue Assistant from 1st November till the end of December, 1937, is Rs. 319-15-0 and Rs. 196-1-0, respectively.

**PUNITIVE POLICE POSTS IN LUDHIANA DISTRICT.**

**\*1357. Chaudhri Muhammad Hasan :** Will the Honourable Premier be pleased to state whether Punitive Police Posts have been located in the Ludhiana district ; if so, reasons for the same ?

**Parliamentary Secretary (Mir Maqbool Mahmood):** There are at present no additional police posts in the Ludhiana district.

## KHANNA MUNICIPAL COMMITTEE.

**\*1358. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the annual income and expenditure of the Khanna Municipal Committee ;
- (b) the pay of its secretary and municipal officer of health ;
- (c) the total monthly pay of the employees of the Khanna Municipal Committee in Ludhiana district ;
- (d) the total number of the members of the Khanna Municipal Committee ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) The income and expenditure of the Committee for the year 1936-37 was as follows :—

	Rs.
Income .. .. .	27,276
Expenditure .. .. .	24,132

(b) The pay of the Secretary is Rs. 72 per mensem exclusive of Rs. 3 as cycle allowance and Rs. 10 as allowance for performing the duties of Superintendent and Inspector, Terminal Tax. The Sub-Assistant Surgeon in charge of the District Board dispensary at Khanna is working without remuneration as Medical Officer of Health of the Municipality.

(c) Is about Rs. 1,011.

(d) Ten.

**Chaudhri Muhammad Hasan :** What are the educational qualifications of the Secretary at Khanna ?

**Minister :** The honourable member asked me about the pay of the Secretary and I have given him that information. I wish he had asked for the educational qualifications and the information would have been supplied.

## SAMRALA SMALL TOWN COMMITTEE.

**\*1359. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the annual expenditure and income of the Samrala Small Town Committee ;
- (b) the number of members of the said small town committee in Ludhiana district ;
- (c) the pay of the secretary and public health staff of the said small town committee ;
- (d) whether there are any vaccinators employed by the Samrala Committee for inoculation of the children of the residents of Samrala ; if so, the pay of each of these vaccinators ;
- (e) if the reply to (d) above be in the negative, reasons for the same ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :**

(a) Total income (1935-36) ..	Rs. 2,188.
Total expenditure (1935-36) ..	Rs. 1,704

(b) Five.

(c) and (d) (i) Secretary at Rs. 20 per mensem.

(ii) Allowance to the honorary medical officer of health for performing the duties of vaccinator and sanitary inspector Rs. 12 per mensem.

(iii) One jamadar sweeper, at Rs. 6 per mensem.

(iv) Five sweepers at Rs. 4 per mensem each.

(e) Does not arise.

—————  
ELECTED PRESIDENT FOR MUNICIPAL COMMITTEE, PANIPAT.

**\*1360. Khan Sahib Chaudhri Sahib Dad Khan :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that the Municipal Committee, Panipat, has been electing in previous years the tahsildar of Panipat, an *ex-officio* member of the said committee, as its president only as a matter of convention ;

(b) whether it is a fact that the newly elected committee elected in May last one of its elected members (Haji Muhammad Abdul Qaiyum) as its president instead of the tahsildar ;

(c) if the answer to (a) and (b) above be in the affirmative, why the said election was set aside without giving option to the committee to elect any other non-official member as its president and the tahsildar was appointed president of the said committee ;

(d) whether this fact was brought to his notice ; if so, the action the Government proposes to take in the matter ?

(e) the number of municipal committees in the Punjab except Panipat with official presidents, the names and the ranks of the officers who are their presidents ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) The tahsildar of Panipat had been an elected president of the Municipal Committee of Panipat since the year 1895.

(b) Yes.

(c) Under the circumstances of the case the Commissioner considered that it was in the public interest to exercise his powers under section 20 of the Municipal Act and to appoint the tahsildar as president.

(d) Yes. Government do not propose to take any action.

(e) There are 35 such municipal committees. A statement is laid on the table.

**Pandit Shri Ram Sharma :** Was the tahsildar nominated to the municipality with the intention of his getting elected president one day ?

**Minister :** Not necessarily. I only referred to section 20 of the Municipal Act which gives power of taking such action.

**Pandit Shri Ram Sharma :** Did the Government act on this principle both in Panipat as well as in Faridabad ?

**Minister :** The question of Faridabad does not arise. That is totally irrelevant. About Panipat I have supplied the information.

**Pandit Shri Ram Sharma :** Is not the case of Faridabad quite similar to the case of Panipat ?

**Minister :** It does not arise. It is totally irrelevant.

*Statement.*

Serial No.	Name of Municipal committees.	Names of official presidents.	Designations of the official presidents.
1	Hansi ..	Thakar Narain Singh ..	Tahsildar, Hansi.
2	Beri ..	Mr. Kanwar Bahadur, B.A., LL.B.	Tahsildar, Jhajjar.
3	Sonepat ..	Mr. A. K. Malik, I.C.S. ..	Sub-Divisional Officer, Sonepat.
4	Firozpur-Jhirka	S. Sarfraz Hussain ..	Tahsildar.
5	Faridabad ..	Chaudhri Sultan Singh ..	Tahsildar, Ballabgarh.
6	Thanesar ..	Chaudhri Krishna Ram ..	Tahsildar, Thanesar.
7	Rupar ..	Mr. S. F. Hassan, I.C.S. ..	Sub-Divisional Officer, Rupar.
8	Simla ..	Mr. S. Partap, I.C.S. ..	Deputy Commissioner, Simla.
9	Kasumpti ..	Ditto ..	Ditto ditto.
10	Dharamsala ..	Mr. B. R. Tandon, I.C.S. ..	Deputy Commissioner, Kangra.
11	Khem Karan ..	Appointment has not been made.	
12	Chunian ..	Chaudhri Zaffar Hussain ..	Tahsildar, Chunian.
13	Pattoki ..	Sahibzada Sayed Karam Shah ..	Revenue Assistant, Kasur.
14	Jandiala ..	Lala Mulkh Raj, P.C.S. ..	Extra Assistant Commissioner, Amritsar.
15	Dalhousie ..	Mr. W. G. Kennedy, I.C.S. ..	Deputy Commissioner, Gurdaspur.

## [Minister for Public Works.]

Serial No.	Name of Municipal committees.	Names of official presidents.	Designations of the official presidents.
16	Sharakpur ..	Chaudhri Nasir Ahmad ..	Naib-Tahsildar.
17	Nankana Sahib ..	Mr. P. N. Bhanot ..	Tahsildar.
18	Miani ..	Raja Gulab Khan, P. C.S. ..	Revenue Assistant, Sargodha.
19	Khushab ..	Mr. P. M. Ismail, I.C.S. ..	Sub-Divisional Officer, Khushab.
20	Chakwal ..	Khan Sahib Sayed Nisar Qutab, P.C.S.	Sub-Divisional Officer, Chakwal.
21	Murree ..	Rai Sahib Lala Izzat Rai ..	Deputy Commissioner, Rawalpindi.
22	Campbellpur ..	Mr. E. A. B. Eustace, I.C.S. ..	Deputy Commissioner, Attock.
23	Hazro ..	Ditto ..	Ditto.
24	Pindigheb ..	Mr. J. F. Sykes, I.C.S. ..	Sub-Divisional Officer, Pindigheb.
25	Mianwali ..	Khan Bahadur Khan Ahmad Hasan Khan.	Deputy Commissioner, Mianwali.
26	Isakhel ..	Sardar Indar Sain ..	Tahsildar.
27	Kalabagh ..	Ditto ..	Do.
28	Pakpattan ..	Mr. M. S. A. Baig, I.C.S. ..	Sub-Divisional Officer, Pakpattan.
29	Okara ..	Sardar Beant Singh, P.C.S. ..	Colony Assistant, Montgomery.
30	Jaranwala ..	M. Ghulam Sarwar Khan ..	Tahsildar.
31	Chiniot ..	Lala Narain Das ..	Tahsildar, Chiniot.
32	Khanewal ..	Rai Sahib Lala Wazir Chand ..	Sub-Divisional Officer, Khanewal.
33	Mian Channu ..	Ditto ..	Ditto.
34	Jampur ..	Nawabzada Faiz Muhammad Khan.	Tahsildar.
35	Rajanpur ..	Mr. A. A. Williams, I.C.S. ..	Sub-Divisional Officer, Rajanpur.

## RAJBABA NARNAUND IN HANSI TAHSIL.

**\*1361. Khan Sahib Chaudhri Sahib Dad Khan:** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the zamindars of village Moth Rangharan in Hansi tahsil have often complained to the canal authorities regarding—
  - (i) the unsatisfactory condition of the Narnaund Rajbaha ;
  - (ii) inadequate supply of water at its tail ;
  - (iii) decrease in the areas sown at its tail especially in this *rabi* ;
- (b) whether it is a fact that this Rajbaha is often stopped in the night by putting *Band* by the zamindars at the head of the said Rajbaha ; if so, how many times the water was so stopped and the action taken at each time by the authorities concerned ;
- (c) steps the Government proposes to take to increase the supply of water at the tail of the said Rajbaha ?

**The Honourable Dr. Sir Sundar Singh Majithia:** (a) (i)—(iii) The zamindars have complained of the supply at the tail being unsatisfactory.

(b) No.

(c) The Rajbaha has been remodelled recently and the supply at the tail is satisfactory.

## SARASWATI CANAL IN KAITHAL TAHSIL.

**\*1362. Khan Sahib Chaudhri Sahib Dad Khan:** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that since the management of the Saraswati Canal in the Kaithal tahsil has been transferred to the Canal Department the zamindars of the area commanded by the said canal are treated in the matter of allowing *kharaba* according to the same rules as are in force on the perennial canals ;
- (b) whether any complaints have been made regarding the grant of *kharaba* by the said zamindars, to the authorities concerned if so, the action the Government intends to take in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia:** (a) No. The management of the Saraswati Canal was transferred to the Canal Department in 1926 but the Perennial Canals *Kharaba* Rules have been applied to the Saraswati Canal from September 1935.

(b) No complaints have been received.

## VEGETABLE GHEE.

**\*1363. Khan Sahib Chaudhri Sahib Dad Khan:** Will the Honourable Minister for Education be pleased to state—

- (a) whether the Government is aware that the so-called vegetable ghee is of the same colour as the pure ghee and it is impossible to make any distinction between the two ;

[K. S. Ch. Sahib Dad Khan.]

- (b) if so, whether Government is prepared to adopt measures to make it distinguishable from the pure ghee ; if so, what, and when ?

**The Honourable Mian Abdul Haye :** (a) Yes.

- (b) The matter is at present under the consideration of Government.

#### DEFINITION OF ' COURT. '

**\*1364. Khan Sahib Chaudhri Sahib Dad Khan :** Will the Honourable Finance Minister be pleased to state whether the attention of the Government has been drawn to the rulings of the High Court, Lahore, published in the All-India Reporter, 1937, on pages 446 and 558, in which the definition of ' Court ' under the Debtors Protection Act has been interpreted not to include the Receiver in whom the agricultural property of an insolvent after his adjudication is vested and who thus can proceed with it without the intervention of the Collector ? If so, what steps do Government propose to take in the matter ?

**The Honourable Mr. Manohar Lal :** Yes. The matter is under the consideration of Government.

#### TEACHERS IN DISTRICT BOARD SCHOOLS IN HISSAR DISTRICT.

**\*1365. Khan Sahib Chaudhri Sahib Dad Khan :** Will the Honourable Minister for Education be pleased to state—

- (a) community-wise number of the teachers employed in the district board schools of the Hissar district ;
- (b) the steps the Government intends to take to give proper representation to those communities who are under-represented in the staffs of the said schools ?

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

#### WOMEN'S CHRISTIAN MEDICAL COLLEGE, LUDHIANA.

**\*1366. Khan Sahib Chaudhri Sahib Dad Khan :** Will the Honourable Minister of Education be pleased to state—

- (i) when and on what terms the Government Medical School for Women at Ludhiana was incorporated with the Christian Medical College for Women, Ludhiana ;
- (ii) the amount of grant paid annually by Government to the Christian Medical College for Women, Ludhiana, since the incorporation of the Government Medical School for Women with it ;
- (iii) community-wise number of girls admitted to the L. S. M. F. class during the last five years and the number that qualified at the end of the course ?

**The Honourable Mian Abdul Haye :** (i) There was never a Government Medical School for Women at Ludhiana. The second part of the question does not arise.

(ii) and (iii) Two statements giving the required information are laid on the table.

**Diwan Chaman Lall :** May I ask the Honourable Minister whether it is a fact that a majority of candidates admitted to this particular Medical College are not Punjabis but outsiders ?

**Minister :** I do not know whether a majority of them are Punjabis or non-Punjabis. I do know that a majority of them are Christians.

**Diwan Chaman Lall :** Is the Honourable Minister aware that with the exception of 6, the rest of them are all Christians ?

**Minister :** So far as I remember of the students that have passed out of this institution during the last five years 64 were Christians and 39 non-Christians ?

**Diwan Chaman Lall :** Is the Honourable Minister aware that a sum of nearly a lakh of rupees a year is paid to this institution for the purpose of subsidising students of other provinces ?

**Minister :** The amount that is paid annually is Rs. 95,000. I am not aware whether the majority of students that come to this institution are Punjabis or non-Punjabis.

**Diwan Chaman Lall :** If it is a fact that a majority of students are non-Punjabis, will he state whether he is prepared to take any action either for disbanding this institution or for passing an order that there should be no restriction to admission of Punjabi students ?

**Minister :** I thought that the honourable member was quite sympathetic to other provinces. If that is his view I am prepared to look into this matter. I have already moved so far as the question of Christians and non-Christians is concerned.

**Diwan Chaman Lall :** By having moved in this matter do I take the Honourable Minister to mean that he has passed orders or instructions that henceforth there should be no restrictions ?

**Minister :** I may point out to the honourable member that before passing any orders I am trying to persuade the authorities to admit more non-Christians, and I have no reason to doubt that my advice will be accepted.

**Diwan Chaman Lall :** Is the Honourable Minister aware that practically the whole of the teaching staff and the subordinate staff are Christians ?

**Minister :** They are Europeans and Christians.

**Sardar Kapoor Singh :** Is it a fact that in the Nursing Class only Christian girls are admitted and no girl of any other community is admitted ?

**Minister :** I am sure this is not correct.

**Dr. Gopi Chand Bhargava :** May I know whether the Honourable Minister is aware of the fact that the Christian students of this school carry on religious propaganda during the vacations ?

**Minister :** I am not aware of that, but certain conditions were imposed and I believe that those conditions are being observed.

**Dr. Gopi Chand Bhargava :** Will he please inquire now? And what are those conditions?

**Mr. Speaker :** The next question.

*Statement showing grants paid annually by the Punjab Government to the Women's Christian Medical College, Ludhiana, since 1915, when the Punjab Medical School for Women was incorporated with it.*

Year.				Recurring.	Non-recurring.	Total.
				Rs.	Rs.	Rs.
1915-16	..	..	..	34,000	..	34,000
1916-17	..	..	..	40,912	..	40,912
1917-18	..	..	..	40,912	..	40,912
1918-19	..	..	..	52,200	46,722	98,922
1919-20	..	..	..	54,960	..	54,960
1920-21	..	..	..	71,760	..	71,760
1921-22	..	..	..	71,760	80,000	1,51,760
1922-23	..	..	..	71,760	..	71,760
1923-24	..	..	..	73,560	..	73,560
1924-25	..	..	..	72,460	65,000	1,37,460
1925-26	..	..	..	72,460	5,000	77,460
1926-27	..	..	..	87,460	..	87,460
1927-28	..	..	..	87,460	..	87,460
1928-29	..	..	..	87,460	..	87,460
1929-30	..	..	..	89,000	..	89,000
1930-31	..	..	..	89,000	..	89,000
1931-32	..	..	..	89,000	..	89,000
1932-33	..	..	..	87,000	..	87,000
1933-34	..	..	..	87,000	..	87,000
1934-35	..	..	..	94,460	10,000	1,04,460
1935-36	..	..	..	94,460	..	94,460
1936-37	..	..	..	94,460	..	94,460
Twenty-two years				16,43,504	2,06,722	18,50,226

Statement showing the number of girls community-wise admitted to the "L. S. M. F." class during the last 5 years and the number that qualified at the end of the course.

(a) Admission.	MUSLIMS.		HINDUS.		SIKHS.		CHRISTIANS.		Total.	
	Admitted.	Allowed to stay on.	Admitted.	Allowed to stay on.	Admitted.	Allowed to stay on.	Admitted.	Allowed to stay on.	Admitted.	Allowed to stay on.
1933 .. ..	2	2	7	3	3	1	22	21	34	27
1934 .. ..	4	4	3	3	3	3	25	14	35	24
1935 .. ..	5	4	6	5	4	4	21	15	36	28
1936 .. ..	7	4	12	8	4	4	23	15	46	31
1937 .. ..	5	4	8	6	3	3	22	21	38	34

(N.B.)—Students are admitted in June and they are on probation till December. Class test examinations are held every month and the students who fail to obtain 33½ per cent. of the marks in these and in the examination held at the end of December are asked to leave.

(b) Qualified.	Muslims.	Hindus.	Sikhs.	Christians.	Total.
1933 .. ..	2	2	4	16	24
1934 .. ..	2	4	3	13	22
1935 .. ..	..	1	2	8	11
1936 .. ..	3	3	2	15	23
1937 .. ..	7	2	2	12	23
Total ..	14	12	13	64	103

#### PROCESS SERVERS AND MADAD SHERIFFS IN DISTRICT HISSAR.

\*1367. **Khan Sahib Chaudhri Sahib Dad Khan:** Will the Honourable Minister for Finance be pleased to state—

- the number of process-servers and madad naib-sheriffs and naib-sheriffs, community-wise, appointed permanently by the Senior Sub-Judges of Hissar during the last ten years ;
- the number of candidates accepted and now waiting on the list for the posts of process-servers, community-wise, during the last ten years ?

**The Honourable Mr. Manohar Lal :**

(a) Name of Posts.	Muslims.	Hindus.	Sikhs.
Naib Sheriffs .. .. .	2	1	..
Madad Naib-Sheriffs .. .. .	..	3	..
Process-servers .. .. .	18	35	..
(b) Process-servers.			
Candidates .. .. .	10	21	5

**SENIOR SUB-JUDGES, HISSAR.**

**\*1368. Khan Sahib Chaudhri Sahib Dad Khan :** Will the Honourable Premier be pleased to state whether it is a fact that since October, 1923, non-Muslim Senior Sub-Judges have been successively posted to Hissar ; if so, reasons for the same ?

**Parliamentary Secretary (Mir Maqbool Mahmood) :** Yes. It would not be possible at this stage to ascertain the reasons which led to the selection of the particular officer chosen on each occasion when the post has fallen vacant since 1923, but no special significance need be attached to the fact that it happens to have been filled by a succession of non-Muslims.

**Lala Deshbandhu Gupta :** May I know from the Honourable Member whether this question does not offend against the spirit of the statement made by the Honourable the Premier some time back ?

**Mr. Speaker :** The next question.

**\*1369. Cancelled.**

**ADDITIONAL POLICE POST AT VILLAGE SUR SINGH, TAHSIL KASUR.**

**\*1370. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to lay on the table a copy of the enquiry report of the Deputy Commissioner, Lahore, regarding the actual costs of the additional police post located at village Sur Singh, tahsil Kasur, on the 15th September, 1924, and 1st November, 1929, for the period of 5 years one month referred to in question No. 361<sup>1</sup> put by me on 12th July, 1937 ?

**Parliamentary Secretary (Mir Maqbool Mahmood) :** I regret that the answer to this question is not ready.

## COST OF ADDITIONAL POLICE POST AT NARLI.

**\*1371. Dr. Sant Ram Seth :** With reference to question No. \*891<sup>1</sup> put by me on the 18th July, 1937, and the reply thereto will the Honourable Premier be pleased to state—

- (a) whether any enquiry was made by the Government to ascertain the actual costs of the additional police post located at village Narli, district Lahore, before waiving off Rs. 45-4-0 due from the inhabitants of the aforesaid village as arrears of the cost of the aforesaid police post ; if so, when that enquiry was made and what was the actual cost ascertained after enquiry ;
- (b) the date when the decision to waive off the arrears mentioned in (a) above was arrived at by the Government ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) The essential figures being already known—they were given to the House in the Simla session—there was no occasion for any special inquiry.

- (b) In July last.

## EXTENSION OF IRRIGATION TO RAKH CHARGAH BHERA.

**\*1372. Chaudhri Ahmad Yar Khan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the reasons for which the irrigation from the Rajbahas Ritto Kalr and Melowal, Lower Jhelum Canal, Shahpur district, has not so far been extended to the area of Rakh Chargah Bhera ;
- (b) the amount of land revenue likely to increase if the area mentioned in (a) above is also brought under irrigation by the said Rajbaha ;
- (c) whether it is a fact that the owners of Rakh Chargah Bhera have made requests to the officers concerned to extend irrigation from the said Rajbaha to the said Rakhs ; if so, the action Government have taken or intend to take in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Irrigation has not been extended to Rakh Chargah Bhera, because—

- (1) The area is threatened with waterlogging ;
  - (2) It could be irrigated by the Lower Jhelum Canal only by means of a minor in very high filling and aligned across a deep depression ;
  - (3) The area does not lie within the irrigation boundary of the Lower Jhelum Canal ;
- (b) Does not arise.
  - (c) Yes. The request was refused for the reasons given above.

## RECONSIDERING RELEASE OF HANS RAJ " WIRELESS."

**\*1373. Seth Ram Narain Virmani :** Will the Honourable Premier be pleased to state whether he has read the interview between a representative of the *Tribune* and the Sind Premier published in a local newspaper in its

[Seth Ram Narain Virmani.]

issue of 18th December, 1937, wherein the Premier of Sind in reply to a question told the interviewer that he was prepared to reconsider the question of the release of Hans Raj "Wireless" if the Punjab Government were to recommend for his release; if so, the action that he proposes to take in the matter in view of the above reply of the Sind Premier?

**Parliamentary Secretary** (Khan Bahadur Mian Ahmad Yar Khan Daulatana): First part. Yes.

Second part. It is not in the public interest to give information on a matter which primarily concerns another Government.

**Seth Ram Narain Virmani**: Has not the Sind Government referred the case to this Government?

**Parliamentary Secretary**: I have stated that I am not prepared to give any information on a matter which primarily concerns another Government.

**Diwan Chaman Lall**: Will the honourable member be pleased to state whether it is a fact that the Sind Government have expressed the desire to release Hans Raj 'Wireless' if the Punjab Government agrees to it?

**Parliamentary Secretary**: I have given my reply in the first part.

**Diwan Chaman Lall**: May I know whether there is any correspondence between this Government and the Sind Government on this subject?

**Parliamentary Secretary**: The matter does not concern the Punjab Government and I am not prepared to give information on a matter which does not concern the Punjab Government.

**Diwan Chaman Lall**: How does the honourable member consider that the matter does not concern the Punjab Government? Is it not a fact that the prisoner was originally in the custody of the Punjab Government?

**Parliamentary Secretary**: This man was convicted in Sind not on a charge of any political offence. He was convicted for counterfeiting coins and under the Arms Act.

**Diwan Chaman Lall**: May I know if the Sind Government is prepared to release him, whether the Punjab Government will raise any objection?

**Parliamentary Secretary**: It is their look-out.

**Diwan Chaman Lall**: Will the Punjab Government object?

**Parliamentary Secretary**: The matter does not concern us.

**Diwan Chaman Lall**: If the Punjab Government is asked by the Sind Government?

**Parliamentary Secretary**: We will decide the question then.

**Diwan Chaman Lall**: Has the Punjab Government come to any decision?

**Parliamentary Secretary**: I am not prepared to give any information on that subject.

## INSTRUCTIONS BY HIGH COURT REGARDING PROMOTIONS TO MINISTERIAL POSTS.

**\*1374. Khawaja Ghulam Samad :** Will the Honourable Finance Minister be pleased to state—

- (a) whether it is a fact that instructions have been issued by the High Court of Judicature at Lahore from time to time to the judges of the small cause courts and the district and sessions judges to take into consideration the claims of both the establishments (*viz.*, the ministerial staff under the control of the district and sessions judges and the judges of the small cause courts) in making appointments to the establishment of their respective courts ;
- (b) whether it is also a fact that the instructions referred to above are not rigidly followed where there are separate small cause courts ; if so, the action Government proposes to take in the matter ?

**The Honourable Mr. Manohar Lal :** (a) The latest instructions on the subject are contained in clause (b) of Rule II, Chapter 18-A, High Court Rules and Orders, Volume 1. as amended by correction slip No. 137, dated the 21st April, 1936.

(b) The above rule gives full discretion to district and sessions judges and judges, small cause courts, in the matter. The question of the instructions being rigidly followed does not therefore arise.

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COMPLAINT BY LALA DEEP CHAND.

**\*1375. Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that Lala Deep Chand, Municipal Commissioner, Palwal, made a complaint on 24th November, 1937, to the local authorities against the zaildar Daya Ram ;
- (b) whether the said complaint contained an allegation that the zaildar along with two tahsil chaprasis asked the complainant to allow the exhibition goods to be imported without paying terminal tax as the tahsildar and the sub-divisional officer had given orders to this effect ;
- (c) whether it is also a fact that when the zaildar was asked to show the said orders he used abusive language and intimidated the complainant ; if so, the action the Government took in the matter ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) No.

(b) and (c) Do not arise.

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CHARGE OF EMBEZZLEMENT AGAINST MIR DAD KHAN.

**\*1376. Pandit Shri Ram Sharma :** Will the Honourable Finance Minister be pleased to state whether it is a fact that there was a charge of

[Pandit Shri Ram Sharma.]

embezzlement against Mir Dad Khan, naib-sherif, Noor Ahmad Khan, bailiff of tahsil Sirsa, Suleman, naib-sherif, and Fakhrul Hasan, naib-sherif, Bhiwani; if so, whether any investigation was made in this connexion, if so, with what result, if not, why not?

**The Honourable Mr. Manohar Lal :** There is a charge of embezzlement against Mir Dad Khan, naib-sheriff, and Nur Ahmad, bailiff, of the court of Honorary Sub-Judge, Sirsa, and the matter is still under departmental inquiry. No charge of embezzlement was made against Fakhrul Hasan. Suleman was found to have kept with him for a considerable period a sum of Rs. 5 returned to him by a process-server. His action was held to be unintentional, but he was suspended for four months.

SHARAFAT HUSSAIN, HEAD CONSTABLE.

**\*1377. Pandit Shri Ram Sharma :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that at village Poonahana (Gurgaon) a police head constable Sharafat Husain instructed the lambardars and others to place obstructions in the Congress public meetings to be held on 5th and 6th November, 1937;
- (b) that he publicly abused the Congress leaders and workers and said that if they would criticise the police he would create the mutiny of 1857;
- (c) whether a complaint regarding the same was made to the local authorities; if so, with what result?

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

(b) No.

(c) A complaint was made to the local authorities, but on enquiry by a gazetted police officer, proved to be baseless.

**Pandit Shri Ram Sharma :** Who conducted the enquiry?

**Parliamentary Secretary :** Deputy Superintendent of Police, Gurgaon.

**Pandit Shri Ram Sharma :** Was the complainant personally examined?

**Parliamentary Secretary :** All necessary enquires have been made after which the allegations were found to be baseless. If the honourable member wants the details of the enquiries made, I would require notice.

**Pandit Shri Ram Sharma :** What is the use of holding an enquiry if the complainant is not examined?

**Mr. Speaker :** That question does not arise.

**Lala Deshbandhu Gupta :** Is there any special procedure in regard to these enquiries laid down by the Government?

**Pandit Shri Ram Sharma :** Is there a special way of holding a departmental enquiry?

**Parliamentary Secretary :** If the honourable member puts a specific question on the point, I shall be delighted to answer it.

GRANT-IN-AID FOR PATSHALA, POONAHANA, DISTRICT GURGAON.

**\*1378. Pandit Shri Ram Sharma :** Will the Honourable Minister of Education be pleased to state whether any application for grant-in-aid was made by the Secretary, Hindi Patshala, Poonahana, in district Gurgaon, to the District Inspector of Schools, Gurgaon ; if so, the action taken on it and also reasons for the same ?

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

RAO MANGLI RAM, PRESIDENT, MUNICIPAL COMMITTEE, JHAJJAR.

**\*1379. Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state whether it is a fact that Rao Mangli Ram was elected president of the Municipal Committee, Jhajjar, on 29th October, 1987 ; if so, the reasons why his name has not been gazetted so far ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** Yes. The question of approving or disapproving his election under section 20 of the Municipal Act is under the consideration of the Commissioner, Ambala division.

**Pandit Shri Ram Sharma :** Is it a fact that the necessary papers remained in the Deputy Commissioner's office for three months and were not forwarded to the Commissioner ?

**Minister :** I have said that the Commissioner is considering the matter. That means the papers are with him.

**Lala Deshbandhu Gupta :** How long did it take for the papers to travel from the Deputy Commissioner's office to the Commissioner's office ?

**Mr. Speaker :** That question does not arise.

**Pandit Shri Ram Sharma :** Is it a fact that the papers were not forwarded because Rao Mangli Ram was a Congressite ?

**Minister :** No. I think he has three convictions to his credit.

**Pandit Shri Ram Sharma :** Is there any rule by which a person who has been convicted many times is not eligible for the presidentship of a local body ?

**Minister :** I have not said anything of the sort. I said that the Commissioner is considering the matter.

**Pandit Shri Ram Sharma :** Is the effect of the conviction to last for 5 years when the person is convicted for more than one year ?

**Minister :** All the rules will be observed by the Commissioner when he decides the issue.

**Lala Deshbandhu Gupta :** How long will it take for the Commissioner to consider this matter ?

**Minister :** The usual time.

**Dr. Gopi Chand Bhargava :** When did the papers reach the Commissioner ?

**Minister :** They are with him. I am not aware of the actual date.

**Dr. Gopi Chand Bhargava :** When was the application filed ?

**Minister :** I am unable to supply the date. The papers are with the Commissioner.

**Dr. Gopi Chand Bhargava :** How long did they remain with the Deputy Commissioner ?

**Minister :** An enquiry has to be made. Must have been for some time.

**Dr. Gopi Chand Bhargava :** What does 'some' amount to ?

COMRADE BAKHSHI RAM.

**\*1380. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether it is or it is not a fact that one comrade Bakhshi Ram of Lahore was called by police officer in Lohari Gate thana on 14th November, 1937, and asked to give his history and told that the information was required in order to enter his name in Police Register No. 10 ?

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

**Dr. Gopi Chand Bhargava :** May I know whether a report to this effect was published in the papers—that the man was called by the police officer in Lohari Gate ?

**Parliamentary Secretary :** I am not aware of any such report.

**Dr. Gopi Chand Bhargava :** Will the honourable Parliamentary Secretary enquire into the matter and take action against the man who gave the wrong information to the press or the man who gave wrong information to the Government ?

**Parliamentary Secretary :** If every false report published in the press is to be acted upon and action taken, I am sure my honourable friends opposite and many of us here will be embarrassed. But all I can say is that definite enquiries have been made and it was found that Bakhshi Ram has never been called to the police station so far.

**Dr. Gopi Chand Bhargava :** May I enquire whether Government is prepared to make an independent enquiry into the matter through a magistrate ?

**Parliamentary Secretary :** An enquiry has been made and after definite enquiries we have come to the conclusion that the man was not called by the police officer.

**Dr. Gopi Chand Bhargava :** May I enquire whether the Government is prepared to make an enquiry through a magistrate ?

DECREE PASSED ON AGRICULTURAL LAND BY SUBORDINATE  
JUDGE, GUJRAT.

**\*1381. Khawaja Ghulam Hussain :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether it is a fact that in case No. 23 of 1937, Hukam Chand *versus* Jallu on 10th November, 1937, the Subordinate Judge,

Class I, Gujrat, passed a decree for Rs. 5,670 with costs, the decretal amount to be a lien on some agricultural land which has already been for a number of years in the possession of the non-agriculturist vendee in whose favour the said decree was passed ;

- (b) whether the said Subordinate Judge forwarded a copy of the decree passed by him in the above-mentioned case to the Deputy Commissioner, Gujrat, as required by section 21-A (1) of the Punjab Alienation of Land Act ; if not, why not ;
- (c) if the answer to (b) above be in the affirmative, the decision arrived at by the Deputy Commissioner, Gujrat, regarding the filing of an appeal against the orders of Subordinate Judge, Gujrat, in the case under section 21-A of the Punjab Alienation of Land Act ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) No. The court considered that as making the purchase money a lien on the property is not a transfer of any interest or right in any immovable property or a permanent alienation or a mortgage, the provisions of the Alienation of Land Act were not contravened, and that therefore there was no necessity for sending a copy of the judgment to the Deputy Commissioner.

(c) The Deputy Commissioner has made an application for the revision of the decree to the High Court.

**Khawaja Ghulam Hussain :** May I know whether it is or is not essential that under section 21-(A) (i) of the Punjab Land Alienation Act, a copy of the decree should invariably be forwarded to the Deputy Commissioner ?

**Mr. Speaker :** Opinion on a point of law cannot be sought.

**Pandit Bhagat Ram Sharma :** On a point of order. What happens to the questions which are not put in the House due to the absence of honourable member who sends notice of them ?

**Mr. Speaker :** Answers to those questions are printed in proceedings.

**Pandit Bhagat Ram Sharma :** Is it not possible to read answers to those questions for the benefit of the members present in the House ?

**Mr. Speaker :** That is in the discretion of the Minister concerned.

**Pandit Bhagat Ram Sharma :** As soon as questions are published in the agenda, do they not become the property of the House and should they not be read out for the benefit of the House ?

**Mr. Speaker :** A question has to be put by the honourable member who has given notice of it, or by some other member whom he may authorise, and unless the question is asked a Minister may not answer it. But if the question is an important one and it is considered necessary that it should be answered in the public interest, the Minister concerned may answer it.

DECREE PASSED ON AGRICULTURAL LAND BY SUBORDINATE  
JUDGE, GUJRAT.

**\*1382. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that in case No. 23 of 1937 *Hukam Chand versus Jallu* on 10th November, 1937, the Subordinate Judge, Class I, Gujrat, passed a decree for Rs. 5,670 with costs, the decretal amount to be a lien on some agricultural land which has already been for a number of years in the possession of the non-agriculturist vendee in whose favour the said decree was passed ;
- (b) whether the said Subordinate Judge forwarded a copy of the decree passed by him in the above-mentioned case to the Deputy Commissioner, Gujrat, as required by section 21-A (1) of the Punjab Alienation of Land Act ; if not, why not ;
- (c) if the answers to (b) above be in the affirmative, the decision arrived at by the Deputy Commissioner, Gujrat, regarding the filing of an appeal against the orders of Subordinate Judge, Gujrat, in the case under section 21-A of the Punjab Alienation of Land Act ?

**The Honourable Dr. Sir Sundar Singh Majithia :** Attention of the honourable member is drawn to the reply given to question No. \*1381.<sup>1</sup>

DECREE PASSED ON AGRICULTURAL LAND BY SUBORDINATE JUDGE,  
GUJRAT.

**\*1383. Maulvi Mazhar Ali Azhar :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that in case No. 23 of 1937 *Hukam Chand versus Jallu* on 10th November, 1937, the Subordinate Judge, Class I, Gujrat, passed a decree for Rs. 5,670 with costs, the decretal amount to be a lien on some agricultural land which has already been for a number of years in the possession of the non-agriculturist vendee in whose favour the said decree was passed ;
- (b) whether the said Subordinate Judge forwarded a copy of the decree passed by him in the above-mentioned case to the Deputy Commissioner, Gujrat, as required by section 21-A (1) of the Punjab Alienation of Land Act ; if not, why not ;
- (c) if the answer to (b) above be in the affirmative, the decision arrived at by the Deputy Commissioner, Gujrat, regarding the filing of an appeal against the orders of Subordinate Judge, Gujrat, in the case under section 21-A of the Punjab Alienation of Land Act ?

**The Honourable Dr. Sir Sundar Singh Majithia :** Attention of the honourable member is drawn to the reply given to question No. \*1381.<sup>1</sup>

COURTS OF STIPENDIARY MAGISTRATES, JULLUNDUR.

**\*1384. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that there is not sufficient accommodation in the building at present hired for the courts of the Stipendiary Magistrates at Jullundur ;
- (b) the annual rent paid at present by the Government for this building ; if the answer to (a) above be in the affirmative, whether the Government intends to provide accommodation for the said courts in some Government buildings ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) First part Rs. 1,200. Second part, yes.

COURTS IN JULLUNDUR.

**\*1385. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the courts of the Commissioner, Sessions Judge, Sub-Judges, Deputy Commissioner and other magistrates in Jullundur are situated at different places ;
- (b) whether it has been brought to the notice of the Government that the litigant public and the Bar are put to great inconvenience and unnecessary expense in going from one court to another ;
- (c) whether the Government is prepared to consider the advisability of having all the courts in Jullundur at one place ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a), (b) and (c) : Yes.

NEW BUILDINGS FOR COURTS IN JULLUNDUR.

**\*1386. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether the Government have considered the question of selling the buildings in which at present the district courts are held ;
- (b) whether it is a fact that Jullundur city has expanded so much that it has practically surrounded the old cutchery site ;
- (c) whether the Government has calculated the price which these buildings will fetch at present ;
- (d) a rough estimate of the cost of a new building and the price that the site of old cutchery would fetch ;
- (e) whether Government will consider the proposal of constructing a new building for the courts in view of the information sought in part (d) of this question ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) and (b) Yes.

(c) and (d) Fresh calculations are about to be made.

(e) Yes.

## MAIZE CROPS IN JULLUNDUR DISTRICT.

**\*1387. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the maize crop during this Kharif was destroyed by *Sundi* in the Jullundur district ;
- (b) whether it is a fact that the maize crop was sown very late in the said district ;
- (c) whether it is a fact that at the end of last September a cyclone passed over the said district accompanied by a hailstorm and that all crops in general and the maize crop in particular were greatly damaged ;
- (d) if the answers to above be in the affirmative, the action the Government has taken to give relief to the zamindars of the said district ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes, to some extent in parts of the district.

- (b) No. Most of it was sown at the usual time.
- (c) No, but a few villages were affected to some extent.
- (d) The damage was too small to require any relief.

## COTTONCROP IN JULLUNDUR DISTRICT.

**\*1388. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that all the flowers and pods of cotton crop were severely damaged by hailstorm and the cyclone that visited the Jullundur district at the end of September last ;
- (b) if the answer to (a) above be in the affirmative, whether Government has tried to estimate the amount of damage so done, if so, whether he is prepared to lay the information with regard to it on the table of the House ;
- (c) if the answer to (a) above be in the affirmative, the action the Government has taken to afford relief to the zamindars of the said district ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Some damage was caused to the cotton crop by a storm which occurred on the night between the 9th and 10th October, 1937.

- (b) The damage nowhere exceeded 4 annas in the rupee.
- (c) The question of relief does not arise.

## SUGAR CANE IN JULLUNDUR DISTRICT.

**\*1389. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that the sugarcane crop was damaged by the cyclone that visited the Jullundur district at the end of September last ; if so, the action the Government has taken or intends to take to afford relief to the zamindars of the said district ?

**The Honourable Dr. Sir Sundar Singh Majithia :** The storm occurred on the night between the 9th and 10th October, 1937. Very little damage resulted to the sugarcane crop and no relief was required.

#### FODDER CROPS IN JULLUNDUR DISTRICT.

**\*1390. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that there was a long draught in the Jullundur district after the first outbreak of the monsoon last summer ;
- (b) whether it is a fact that on account of this draught all the *Kharif* crops especially the fodder crop suffered heavily in Jullundur district ; if so, the action the Government has taken to grant relief to the agriculturists in Jullundur district ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) The fodder crops were adversely affected by the draught in the month of August and part of September, but the rains in the second week of September made good the loss to a great extent. Concession rates for the import of fodder have been introduced by Government in the Jullundur and Nakodar tahsils, where fodder scarcity was felt.

#### INQUIRY REGARDING SUB-SOIL WATER IN JULLUNDUR AND HOSHIARPUR DISTRICTS.

**\*1391. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister for Revenue be pleased to state with reference to his answer to my supplementary question to question No. \*68<sup>1</sup> whether he has made any inquiries ; if so, the result of the same and the steps he has so far taken in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** Yes. A scheme was considered to put bunds in the upper reaches of the *chos* to control the flood water for raising the water table, but it was not considered useful from the experience gained on Dholbaha Cho.

#### WATER LEVEL IN DOABA BIST JULLUNDUR.

**\*1392. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that sometime ago the Government considered a scheme to stop the water of Chos (hill torrents) in the Bist Jullundur Doaba and then pass this water through canals in this area ;
- (b) whether it is a fact that survey for these canals was made ;
- (c) whether it is a fact that there was also under consideration of the Government a scheme to pump up water from the river Beas and then pass it through canals in Bist Jullundur Doaba to stop the falling of water level in the wells ;

[S. S. Gurbachan Singh.]

- (d) whether it is a fact that the late Mr. J. A. Ferguson, both as Deputy Commissioner and Commissioner of Jullundur suggested the scheme mentioned in (c) above;
- (e) whether it is a fact that the data regarding the fall of water level in the Bist Doaba was collected by the officer named in (d) above; if so, whether he will lay a copy of the same on the table?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes. It was proposed to hold up the flood water by means of bunds in the upper reaches of the chos so that it could be controlled in the lower reaches.

- (b) No. Some officers only inspected the area.
- (c) No scheme was worked out. Only a suggestion to this effect was made by an officer.
- (d) Yes.
- (e) No particular data was collected by this officer.

#### BORINGS DONE IN HOSHIARPUR AND JULLUNDUR.

**\*1393. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) with reference to what he stated during Legislative Assembly Debate in the last session as reported on page 808, Volume I, whether he has ordered any trial borings to be done in Jullundur and Hoshiarpur districts and to chemically test the samples of water available at different places;
- (b) whether he has made any inquiries regarding the number of tube-wells sunk in these two districts and also the number and the boring done in the wells, in Hoshiarpur and Jullundur districts by Government Agency or otherwise; if so, the number of such tube-wells and ordinary wells in which boring was done and the water was found to be saline;
- (c) if the answers to (a) and (b) above be in the negative, the action the Government proposes to take in the matter?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) and (c) No, but the whole of the complex problem arising from the drop of the water-table in the Doab is about to be re-examined by an expert committee.

(b) No.

#### TOUR OF HONOURABLE MINISTER FOR REVENUE IN BIST JULLUNDUR DOAB.

**\*1394. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that a deputation of the members of this Assembly representing Bist Jullundur Doab waited upon him—

to urge upon the Government to take immediate steps to remedy the falling of water level in the said Doaba ;

(b) whether it is a fact that he assured the said deputation that the Honourable Minister for Revenue will visit the districts of Jullundur and Hoshiarpur to consider the whole situation ; if so, whether the Honourable Minister has so far made a tour in these two districts ;

(c) if the answer to (b) above be in the affirmative, the result of his tour and proposals, if any, that he has already placed or intends to place before the Government to remedy the subsidence of the water level in the Bist Jullundur Doaba ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) Not yet.

(c) Does not arise.

#### TUBE WELLS SCHEME FOR THE PROVINCE.

**\*1395. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister for Revenue be pleased to state—

(a) With reference to his statement made in this House as reported in the Punjab Legislative Assembly Debates, page 807, Volume I, to the effect that an officer of the Irrigation Branch was deputed to go and personally look into the working of the tube-wells scheme in the United Provinces ; when that officer was sent to the United Provinces ;

(b) whether he is still there ; if so, how long he is expected to stay there ;

(c) whether he has returned ; if so, when and whether he has submitted any report about the experience he gained there and any other suggestion of his own with regard to the working of the tube-wells in this province ;

(d) if the answer to (c) above be in the affirmative, whether he will lay a copy of that report on the table and also state the action Government proposes to take on his recommendations ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) and (b) The Officer on special duty, Tube well Investigation, has paid two visits to the United Provinces, one prior to starting on his report and the second quite recently. The dates are 9th May, 1937 to 1st June, 1937 and 7th December, 1937 to 17th December, 1937.

(c) The officer on special duty is completing his report but is awaiting the arrival of certain other information and also the results of experiments which have been undertaken in this connection.

(d) Does not arise.

## PER UNIT COST OF PRODUCTION OF ELECTRICITY.

**\*1396. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the cost of production of electricity from the Uhl River Hydro-Electric scheme per unit ;
- (b) the cost of production per unit with a thermal generating station ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) The accepted calculation is that when the first stage of the scheme is fully loaded up the cost per unit delivered at the various distribution centres will be approximately 8·25 pies.

(b) the cost of production per unit at a thermal generating station depends on many factors, of which some are the size of the plant, the size of each unit in the plant, the load factor, the distance between the point of generation and the point of distribution, the fuel used and the distance between the plant and the origin of the fuel. It is, therefore, not possible to give a general answer to such a general question.

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COMMITTEE TO CONSIDER SUPPLY OF ELECTRICITY TO DELHI.

**\*1397. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that a Committee was appointed to consider the scheme of supplying electricity to Delhi from the Uhl River Hydro-Electric plant ; if so, the personnel of the Committee ;
- (b) whether the said Committee submitted any report ; if so, whether he will lay a copy of the same on the table of the House ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) No.

(b) Does not arise.

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COST OF LINE TO SUPPLY ELECTRICITY TO DELHI.

**\*1398. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that it has been proposed to take 11,000 volts line or 32,000 volts line to Delhi ;
- (b) the cost per mile of wiring of 11,000 volts and 32,000 volts lines separately ;
- (c) its route from the commencing station to Delhi and the important places that it will touch on the way ;

- (d) the approximate mileage that this line will cover up to Delhi ;
- (e) the approximate total cost of carrying this line to Delhi ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) No.

(b) to (e) Do not arise.

#### SUPPLY OF ELECTRICITY FROM MANDI HYDRO ELECTRIC SCHEME.

**\*1399. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the name of the companies or bodies at Delhi which have applied to the Punjab Government for the supply of electricity from Uhl River Hydro-Electric scheme ;
- (b) the number of kW's. applied for by each of these companies or bodies ;
- (c) the rate per unit at which these companies or bodies are prepared to take electricity from Uhl River Hydro-Electric ;
- (d) whether it is a fact that many companies here in the Punjab are prepared to take electricity at lower rates than those at which it is proposed to supply electricity to the companies or bodies at Delhi from Mandi Hydro-Electric ;
- (e) whether it is a fact that in supplying electricity to the home market even at cheaper rates Government will save the capital cost on the construction of transmission lines to Delhi and also certain amount of power that is wasted on long transmission lines ; if so, whether Government has considered or proposes to consider making provision for the construction of transmission lines to Delhi ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) No Company or body from Delhi has applied to the Punjab Government for the supply of electricity from the Uhl River Hydro-Electric Scheme.

(b) to (e) Do not arise.

#### CATERING ELECTRICITY FOR PRODUCTIVE PURPOSES.

**\*1400. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister of Public Works be pleased to state the steps he has so far taken or proposes to take in the near future to give effect to the intention of the Government to supply electricity for productive purposes only as expressed by him on page 412 of the Punjab Assembly Debates, Volume I, on 21st June, 1937 ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** During the month of October 1937, of the connected load of the consumers who receive their energy directly from the Electricity Branch,

## [Minister for Public Works.]

68·1 per cent. was the load of industrial consumers, in whom are included consumers who use energy for agricultural purposes. The honourable member should bear in mind that it is only the sale of energy at high rates for such purposes as lighting and fans that enables energy to be sold at rates even lower than the cost of production for industrial and agricultural purposes. It is therefore not possible for a commercial concern to cease supplying energy for lighting and fans and other purposes for which high rates are charged. The more energy that is sold at high rates for general purposes the more energy can the branch afford to sell for industrial and agricultural purposes at cheap rates.

The general question of the possibility of putting down tube-wells in the Punjab for irrigation purposes is under consideration and a special officer with staff has been appointed for this purpose. If his investigations show that irrigation by tube wells is economically possible, it is probable that at least some of those that are within the area supplied by the Electricity Branch will be worked by electricity. In particular, a scheme for about 30 tube-wells in the area north and north-east of shalimar has been worked out and the financial practicability of it is under investigation.

## CHEAP ELECTRICITY FOR IRRIGATION PURPOSES.

**\*1401. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether he has made a tour in any of the districts of the Punjab where electricity is supplied to the zamindars for agricultural purposes ; if so, his experience of that tour ;
- (b) whether Government has considered the question of supplying or has taken any steps to supply cheap electricity to the zamindars for agricultural purposes as is being done by some of the other provincial Governments in India ; if so, what ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) No.

(b) The attention of the honourable member is invited to the reply given to part (b) of question No. \*208<sup>1</sup>. No further details are yet available.

## EXTENSION OF HYDRO ELECTRIC SCHEME IN RURAL AREAS.

**\*1402. Sardar Sahib Sardar Gurbachan Singh :** (i) With reference to column 12 of the statement attached to the answer to starred question No. 885<sup>2</sup> put by me on 12th July, 1937, will the Honourable Minister of Public Works be pleased to state whether the Conference that was to be held in September or October, 1937, under the auspices of the Financial Commissioner, Development, has been held ; if so, the conclusions it has reached ?

(ii) Will he also be pleased to lay a copy of the report of that Conference on the table of the House ?

<sup>1</sup>Vol. I, page 766.

<sup>2</sup>Vol. I, page 1239.

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (i) No.

(ii) Does not arise.

#### RURAL EXTENSION SCHEME OF MANDI HYDRO ELECTRIC.

**\*1403. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether it is a fact that Phillaur, Kartarpur, Nakodar, mentioned in the rural extension scheme given in the list appended to the answer to question No. 385<sup>1</sup> starred put by me on the 12th July, 1937, are municipal towns ;
- (b) whether it is also a fact that the people residing there are voters for the urban constituencies of this Assembly ;
- (c) if the answer to the above is in the affirmative, the reasons why these towns have been included in the Rural Extension Scheme of the Mandi Hydro-Electric ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) Yes.

(b) No ; except in the case of Nakodar.

(c) There was no reason to exclude them. There was enough energy for all.

#### TUBE WELLS.

**\*1404. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the date on which the sinking of the three tube-wells mentioned in the Review of Administration Report of the Punjab Public Works Department, Electricity Branch, for the year 1936-37, published in the *Government Gazette*, dated Friday, October 8th, 1937, was sanctioned by the Government ;
- (b) the date when the work of sinking each tube-well in (a) above was taken in hand ;
- (c) the stages of construction at which the work of sinking each of the wells has reached so far ;
- (d) the size of the bore ; the proposed discharge and the horse power required to work each tube well ;
- (e) whether these three tube-wells include the two tube wells mentioned in column 3 of the statement appended to the answer to question No. 238<sup>2</sup> (starred) put by Dr. Shaikh Muhammad Alam on 1st July, 1937, if not when were these tube-wells constructed, and since how long they are working ;
- (f) whether the land, in which the tube-wells mentioned in (b) above are being sunk belongs to Government or to private persons, and, if to the private persons, their names and addresses and the water rate Government proposes to charge from these persons ?

<sup>1</sup>Vol. I, pages 1280—91.

<sup>2</sup>Vol. I, pages 840—42.

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) The decision to sink these wells was taken in October, 1936. The sites for the tube-wells were selected as follows :—

Tube-well No. 1.—24th November 1936.

Tube-well No. 2.—10th April 1937.

Tube-well No. 3.—3rd February 1937.

	Tube-well No. 1.	Tube-well No. 2.	Tube-well No. 3.
(b)			
1. Date on which the land was taken over by mutual agreement with owners.	10th January, 1937	10th April, 1937 ..	10th February, 1937.
2. Date on which boring work was started.	16th January, 1937	23rd April, 1937 ..	16th February, 1937.
3. Date on which tube-well was first tested.	19th May, 1937 ..	2nd August, 1937..	10th June, 1937.
4. Date on which the tube-wells were handed over to Irrigation Department.	20th June, 1937..	Abandoned ..	19th June, 1937.

(c) Tube-wells Nos. 1 and 3 were run for test purposes during the Kharif crop of 1937. Since the first of October water has been supplied to cultivators on payment from these two wells.

(d) Well No. 1 was sunk 210 feet.

Well No. 2 was sunk 366 feet.

Well No. 3 was sunk 312 feet.

Each boring is 15" diameter. The original discharge anticipated was 1.5 cusec but actually wells Nos. 1 and 3 deliver 1.1 to 1.2 cusec only. Each well is fitted with a 15 B. H. P. direct coupled A. C. Electric Motor.

(e) The wells described in the preceding paragraphs are the only irrigation wells in charge of the Irrigation Branch. Detailed information regarding privately sunk wells is not readily obtainable.

(f) The land in which the tube-wells referred to were sunk, was originally proprietary and is now in process of being acquired by Government under the Land Acquisition Act. The names and addresses of the owners of the land will be recorded during the acquisition proceedings but are not available at present.

The water rates proposed for the volumetric supply of water from tube-wells at Qadian are :—

Kharif Rs. 9-9-0 per acre foot of water.

Rabi Rs. 6-6-0 per acre foot of water.

## TUBE WELLS.

**\*1405. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether any data of the different stratas met with at the time of boring of the three tube-wells mentioned in the Review of Administration Report of Public Works Department, Electricity Branch, for the year 1936-37 was kept ;
- (b) the depth to which these tube wells were taken ;
- (c) the spring water level in the wells in the neighbourhood ;
- (d) whether he will be pleased to lay a copy of the data above mentioned on the table of the House ;
- (e) the total lift in these tube-wells from the ground level ;
- (f) the make and types of pumps that are used to pump out water from these tube-wells and the efficiency of each pump ;
- (g) whether these pumps are directly driven by electric motors or belt driven ;
- (h) the approximate area which each pump is expected to command ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) The depths for the three wells are 210 feet, 366 feet, 312 feet, respectively.

(c) Depth of sub-soil water, below natural surface, varies between 23 and 28 feet.

(d) Required data is given in (b) and (c).

(e) The approximate heads against which water is pumped for the 3 wells are 47 feet, 55 feet, and 49 feet, respectively.

(f) *Tube well No. 1.*—5 L. I. Centrifugal pump 6" suction, 5" delivery by Worthington Simpson Company, Limited, direct coupled to 15 B. H. P. 3 Phase 50 cycle, 400/440 Volt A. C. Electric Motor by Crompton Parkinson. Efficiency of the Pumping set when delivering 37,000 gallons per hour against total pumping head of 48' as stated by makers is 75 per cent.

*Tube Well No. 2.*—This tube well has been abandoned for experimental purposes, as the yield of water was considered to be too low.

*Tube Well No. 3.*—5 H.S.L. Centrifugal Pump by Pulsometer Engineering Company, Limited, London, 6" suction, 5" delivery direct coupled to 15 B. H. P. 3 Phase, 50 Cycle, 400/440 Volt. A. C. Electric Motor by B. T. H. Company, Limited. Efficiency of the pump when delivering 39,600 gallons per hour against a total pumping head of 49 feet as stated by the suppliers, is 80 per cent.

(g) Directly driven.

(h) The tube wells are experimental and one of the objects of the experiments is to find out the area which these wells are capable of irrigating.

## SUPPLY OF HYDRO-ELECTRIC ENERGY FOR AGRICULTURAL PURPOSES.

**\*1406. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister of Public Works be pleased to state—

- (a) the names and addresses of each person to whom Hydro-Electric energy for agriculture purposes has been supplied in the form of a statement as given by him in answer to question No. 238 (starred) page 841, Punjab Legislative Assembly Debates, Volume I ;
- (b) the particular kind of agriculture work that is carried on by each of these consumers by the use of Hydro-Electric energy ;
- (c) the dates on which electric connexion was actually given to each of the consumers and the number of units per month consumed by each of them ;
- (d) the rate per unit charged from each of the consumers according to his consumption ;
- (e) whether any concession in rate or otherwise is allowed to any of the consumers ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) It has been already stated in reply to part (ii) of question No. \*238<sup>1</sup> that it is neither desirable nor necessary to ascertain or to give the names of individual consumers.

(b) Government as a supplier of electricity is not concerned with the particular kind of agriculture work on which energy is used.

(c) and (d). The collecting of this information will involve an expenditure of time and labour out of all proportion to the result to be achieved.

(e) Supply was given at the standard rates for industrial supply.

## SECOND AND THIRD STAGES OF THE MANDI HYDRO ELECTRIC SCHEME.

**\*1407. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether the original estimate of expenditure for the Uhl River Hydro Electric Scheme included the expenditure for the second and third stages of this scheme ;
- (b) if answer to the above be in the negative the estimated cost for the completion of the second and third stage ;
- (c) whether the Government contemplates taking in hand the construction of these stages of the scheme in the near future ; if so, when ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) The estimate approved by Government covers only the first stage of the Uhl River Hydro-Electric Scheme.

(b) and (c). It is not yet decided what form the further development of power may take. Alternative methods of augmenting or supplementing the supply of energy available from the first stage of the Uhl River Hydro-Electric Scheme are under investigation.

## HYDRO-ELECTRIC COMMITTEE.

**\*1408. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether it is a fact that at one time a committee, called the Hydro-Electric Committee was appointed on which some of the non-official members of the old Council were nominated; if so, whether that committee is still functioning; and, if so, the names of the non-official members of the committee;
- (b) if that committee has ceased to exist, the reasons therefor?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) and (b). Early in 1925 a committee of non-official members of the old Punjab Legislative Council was appointed to report on the comparative advantages of two Hydro-Electric Schemes. Having submitted its report the committee ceased to exist.

In 1929, in compliance with the resolution of the old Punjab Legislative Council adopted on the 30th July, 1929, Government appointed a Committee of Inquiry into the Progress of the Uhl River Hydro-Electric Scheme. Three members of the Council were nominated to the Committee. This, too, ceased to exist after it had submitted its report.

DECREE PASSED ON AGRICULTURAL LAND BY SUBORDINATE JUDGE,  
GUJRAT.

**\*1409. Chaudhri Nasir-ud-Din :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that in case No. 23 of 1937, Hukam Chand *versus* Jallu on 10th November, 1937, the Subordinate Judge, Class I, Gujrat, passed a decree for Rs. 5,670 with costs, the decretal amount to be a lien on some agricultural land which has already been for a number of years in the possession of the non-agriculturist vendee in whose favour the said decree was passed;
- (b) whether the said Subordinate Judge forwarded a copy of the decree passed by him in the above-mentioned case to the Deputy Commissioner, Gujrat, as required by section 21-A (1) of the Punjab Alienation of Land Act; if not, why not;
- (c) if the answer to (b) above be in the affirmative, the decision arrived at by the Deputy Commissioner, Gujrat, regarding the filing of an appeal against the orders of Subordinate Judge, Gujrat, in the case under section 21-A of the Punjab Alienation of Land Act?

**The Honourable Dr. Sir Sundar Singh Majithia :** Attention of the honourable member is drawn to the reply given to question No. \*1381<sup>1</sup>.

MUNICIPAL COMMITTEE, LYALLPUR.

**\*1410. Seth Ram Narain Virmani :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that next election of the Municipal Committee, Lyallpur, will be held under the new proposed constitution of the Municipal Committee;

[Seth Ram Narain Virmani.]

- (b) whether it is also a fact that the pre-Reform Ministry directed the said Municipal Committee to so recommend the distribution of wards as to return nine Hindus, seven Muslims, three Sikhs and one Christian ;
- (c) whether it is also a fact that the present Ministry again directed the Committee to so recommend the distribution of wards as to return nine Hindus, eight Muslims, three Sikhs and one Christian ;
- (d) if the answers to (b) and (c) above be in the affirmative, reasons for the same ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :**

- (a) Yes.
- (b) Yes.
- (c) Yes.
- (d) The reason for the change was to secure communal adjustment according to the usual formula.

#### EXTENSION OF THE SCOPE OF THE FOREST ENQUIRY COMMITTEE TO KATARDHAR.

**\*1411. Sardar Hari Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that Jhelum was not originally included in the scope of investigation of the Forest Enquiry Committee appointed by the Punjab Government ;
- (b) whether it is a fact that later the said District was included in the itinerary of the said Committee ;
- (c) whether it is also a fact that sometime ago the Government received representations from the people concerned for the extension of the scope of the said Committee's enquiry to Katardhar, district Hoshiarpur; if so, whether Katardhar has been included in the scope of investigation of the said Committee according to those representations; if not, why not ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

- (b) Yes.
- (c) Yes ; the attention of the honourable member is invited to the answer given to question No. \*1049<sup>1</sup>.

#### HANS RAJ "WIRELESS".

**\*1412. Sardar Hari Singh :** Will the Honourable Premier be pleased to state whether it has been brought to his notice that in the interview granted by Sir Ghulam Husain Hidayat Ullah at Lahore to a representative of the *Tribune*, an account of which was published in the issue of the said journal of 18th December, the Sind Premier stated that he would reconsider the case of Hans Raj "Wireless" now incarcerated in a jail in the Sind Province in case Punjab Government recommended the reconsideration of his case ; if so, the action that he proposes to take in the matter ?

**The Honourable Major Sir Sikander Hyat-Khan :** The honourable member is referred to question No. \*1373.<sup>1</sup>

**NOMINATION TO HOSHIARPUR MUNICIPALITY.**

**\*1413. Sardar Hari Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the names sent up by the district authorities to the Commissioner, Jullundur Division, for nomination to Hoshiarpur Municipality ;
- (b) the interest which Sardar Arjan Singh, Pleader, Hoshiarpur, has been nominated to represent in the said Municipality ;
- (c) whether depressed classes as such in the said district have got any representation on the said Municipality through recent elections or nominations ; if not, reasons for ignoring their claims to representation through nomination ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) Government regret that they are unable to disclose the confidential recommendations made by the Deputy Commissioner, Hoshiarpur, in regard to the nomination of members to the Hoshiarpur Municipal Committee.

(b) One of the seats by nomination was to be given to a non-Muslim and as no Sikh had been returned by election, the Commissioner, Jullundur Division, appointed Sardar Arjan Singh, who has been elected President by a majority of 9 to 4 votes.

(c) The honourable member is referred to the reply given to his question No. \*1113.<sup>2</sup>

**COSTS OF ADDITIONAL POLICE POST LOCATED AT VILLAGES**

**RAJOKE AND WAN.**

**\*1414. Mian Muhammad Iftikhar-ud-Din :** Will the Honourable Premier be pleased to state—

- (a) whether he received a letter No. 27, dated the 19th October, 1937, from Dr. Sant Ram Seth, M.L.A. (Amritsar) regarding the refund of the additional police post located at villages Rajoki and Wan in district Lahore ;
- (b) if the answer to (a) be in the affirmative, whether the Government is prepared to lay the aforesaid letter on the table along with the statement of the costs attached with it ;
- (c) whether any inquiry was made by the Government into this matter ; if so, with what result ;
- (d) whether it is a fact that Rs. 4,932 due from the inhabitants of the villages referred to in (a) above on account of the additional police post costs have been waived off ;
- (e) if the answer to (d) above be in the affirmative, whether any inquiry was made by the Government as to the amount actually spent by the Government for maintaining the aforesaid police post before remitting the arrears ;

<sup>1</sup>Pages 761-62 ante.

<sup>2</sup>Page 487 ante.

[Mian Iftikhar-ud-Din.]

(f) whether the furniture purchased for the aforesaid additional police post was taken to the district police headquarters, Lahore, without paying any compensation to the inhabitants of the said villages ;

(g) if the answer to (f) above be in the affirmative, the authority under which this furniture was taken to the district police headquarters without paying compensation to the said villages for the same and whether the Government proposes to refund the price of the furniture to the inhabitants of those villages ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a), (b), (c), (f) and (g). This has been answered in the reply to question 252<sup>1</sup>, put by the honourable member for the Kasur (Muhammadan) Rural Constituency.

(d) Yes. (The sum was Rs. 4,952-4-6.)

(e) The facts being already known—the essential figures were given to the House in the Simla session—there was no occasion for any special inquiry.

#### NUISANCE OF CATTLE GRAZING IN BEIT ALONG THE SUTLEJ RIVER.

**\*1415. Sardar Ajit Singh :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that the Gujjar residents of three villages Begowal, Phambara and Burj Tehal Dass situated in *Beit* along the Sutlej River in the jurisdiction of the Rahon Police Station, tahsil Nawanshahr, district Jullundur, are accustomed to grazing their cattle in the lands situated in the surrounding villages and thereby cause great loss to the standing crops of about 20 surrounding villages and that this practice has continued for the last 40 years ;

(b) number of prosecutions under sections 302, 325 and 326, Indian Penal Code, on the zamindars concerned trying to prevent these Gujjars from damaging their crops during the period ;

(c) whether it is a fact that the local police and civil officers had been doing their best to fight this nuisance for the last 40 years, without much success ;

(d) if the answer to (a), (b) and (c) above be in the affirmative, the special steps, if any, that the Government proposes to take to put a stop to this evil practice ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes, for the last few years at any rate.

(b) 1 under section 149-304, Indian Penal Code.

2 under sections 326, 149 and 147, Indian Penal Code.

2 under section 325, Indian Penal Code.

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Total 5.

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(c) Efforts by the local officers to prevent the mischief by taking action under the preventive sections of the Criminal Procedure Code are frustrated by the tendency on the part of witnesses to be won over.

(d) Government consider that the existing law is sufficient to deal with the problem, provided zamindars co-operate. No special steps are necessary.

#### HAISIYAT TAX IN AMRITSAR AND SIALKOT DISTRICTS.

**\*1416. Mr. C. Rai :** Will the Honourable Minister for Public Works be pleased to lay on the table of the House a statement showing the amount of Haisiyat Tax realised in Amritsar and Sialkot districts in the years 1930 to 1937 from the Hindus, Sikhs and Muhammadans separately?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** A statement giving the required information in regard to the District Board of Sialkot is laid on the table. It is regretted that similar information regarding the Amritsar District Board is not available.

#### Statement.

Amount of Haisiyat-Tax realized by the District Board of Sialkot :—

During the year.				FROM THE		
				Hindus.	Muslims.	Sikhs.
				Rs.	Rs.	Rs.
1930-31	..	..	..	1,066	842	269
1931-32	..	..	..	12,995	2,098	2,378
1932-33	..	..	..	10,002	3,140	1,857
1933-34	..	..	..	10,503	4,283	3,677
1934-35	..	..	..	7,282	2,921	1,962
1935-36	..	..	..	5,872	1,835	1,323
1936-37	..	..	..	10,086	2,654	2,674
Total				57,806	17,773	14,160

#### RIGHT OF VOTE FOR DOOMS OF GURDASPUR DISTRICT.

**\*1417. Mr. C. Rai :** Will the Honourable Premier be pleased to state whether he is aware of the fact that the *Dooms* of Gurdaspur district, called *Mahashas* who number about 3 lakhs have not been given the right of vote for the Punjab Legislative Assembly; if so, the steps that he proposes to take in order to remove this grievance of theirs?

**The Honourable Major Sir Sikander Hyat-Khan :** The *Dooms* of the Gurdaspur District, if properly qualified, can be included in the electoral roll of the Punjab Legislative Assembly.

#### SUBSIDISING PUNJAB UNIVERSITY UNION.

**\*1418. Sardar Sampuran Singh :** Will the Honourable Minister of Education be pleased to state—

(a) whether or not the Government subsidises the Punjab University Union, and, if it does, the amount subsidised so far by it;

[Sardar Sampuran Singh.]

(b) the activities of the above society and the purpose it has served so far as the public is concerned?

**The Honourable Mian Abdul Haye :** (a) No recurring grant is given to the Punjab University for the University Union. In the year 1934, a non-recurring grant of Rs. 25,000 was, however, given to the Punjab University towards the construction of a building for the Union Club.

(b) The main object of this Union is to provide and maintain means of social, cultural and academic intercourse among the students of the various colleges affiliated to the University, and to train students in the art of speaking by holding public debates. The Union was started only a few years ago and it is yet too early to say how far it has achieved its objects.

#### KALLAR AND THUR IN SHEIKHUPURA DISTRICT.

**\*1419. Sardar Sampuran Singh :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether it is a fact that *Kallar* and *Thur* are increasing in Sheikhupura district;

(b) if so, whether Government has taken any action to fight this calamity; if not, why not?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) Government has built and is still building a number of drains in this district.

#### REMODELLING OF OUTLETS IN LYALLPUR DISTRICT.

**\*1420. Sardar Sampuran Singh :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether it is a fact that since the last settlement of Lyallpur district the Irrigation authorities have started remodelling of outlets and thus have decreased the supply of water in a large number of chaks, e.g., villages on Khanoana and Pir-mahal distributaries;

(b) whether it is also a fact that this decrease in the supply of water has resulted in a heavy loss to the zamindars concerned; if so, the action that Government proposes to take to compensate the zamindars for the loss so sustained by them?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) No. General remodelling of these two channels has not been started since the last settlement; it has been in progress since 1932. The supply of certain villages has been reduced because it was found that they were receiving more water than was their share, at the expense of other villages.

(b) The adjustment of supplies through outlets of these channels has resulted in a more equitable distribution of water, villages previously short now being given the water to which they are entitled. There can be no question of compensation where excessive supplies have been enjoyed and have now been corrected.

## DISTRICT BOARDS AND EDUCATIONAL INSTITUTIONS.

**\*1421. Sardar Sampuran Singh :** Will the Honourable Minister of Education be pleased to state —

- (a) whether it is a fact that educational institutions maintained and controlled by the district boards in the Punjab are mostly located in urban areas and not in the rural areas ;
- (b) whether it is also a fact that a circular on the subject was some time back issued by the Education Department; if so, the result that that circular achieved ?

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

## CLASS OF PRISONERS ASSIGNED TO MAULANA MAZHAR ALI AZHAR.

**\*1422. Dr. Gopi Chand Bhargava :** Will the Honourable Finance Minister be pleased to state the class of prisoners assigned to Maulana Mazhar Ali Azhar, M.L.A., in jail who has recently been arrested in connexion with Shahidganj agitation ?

**The Honourable Mr. Manohar Lal :** Maulana Mazhar Ali Azhar, M.L.A., has been classified as a B class prisoner.

## MARKETING BILL.

**\*1423. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Development be pleased to state whether any draft of a "Marketing Bill" has recently been circulated to members of the Marketing Board for eliciting opinion thereupon by the Marketing Officer, Punjab Government; if so, whether he will kindly lay a copy of that draft on the table of the House ?

**The Honourable Chaudhri Sir Chhotu Ram :** Certain propositions in the shape of a draft of a Marketing Bill were circulated for critical examination, to the members of the Marketing Sub-Committee appointed by the Joint Development Board. Copies of this draft were issued by the Marketing Officer as Secretary of the Marketing Sub-Committee. A copy of this draft<sup>1</sup> along with a statement made available to the press by me in regard to the origin of this draft is being laid on the table.

## PRIVATE AND PUBLIC MOTOR VEHICLES.

**\*1424. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Revenue be pleased to lay on the table a statement showing the number and variety of motor vehicles private and public (run on hire) registered in each district ?

**The Honourable Dr. Sir Sundar Singh Majithia :** A statement is laid on the table. I must mention, however, that since many owners fail to make the prescribed reports when their vehicles go out of use or are taken out of the province any figures relating to the number of vehicles registered are apt to be misleading. Accordingly an extra column has been added in the statement showing the number of vehicles in each district assessed to the provincial motor tax. The figures in this column may be taken as representing fairly accurately the number of vehicles in actual use.

<sup>1</sup>Kept in the Library.

[Revenue Minister.]

*Motor Vehicles registered in the Punjab up to the quarter ending 30th September, 1937.*

District.	Number of motor cycles.	NUMBER OF CARS.		Number of light motor buses.	NUMBER OF LIGHT MOTOR LORRIES.		NUMBER OF HEAVY MOTOR VEHICLES.		Total number of vehicles registered.	Total number of motor vehicles taxed during the quarter ending 30th June, 1937.
		Private.	Public.		Private.	Public.	Private.	Public.		
Hissar	6	84	2	..	..	103	3	..	198	132
Rohtak	2	33	3	118	7	40	1	2	206	189
Gurgaon	1	30	..	..	8	35	5	5	84	72
Karnal	2	71	..	91	..	187	..	..	351	164
Ambala	88	339	46	188	40	149	2	4	906	472
Simla	9	9	115	1	1	..	..	..	135	143
Ludhiana	19	97	24	..	18	525	4	10	697	471
Hoshiarpur	8	55	8	..	..	268	..	1	340	234
Jullundur	39	251	20	..	27	604	2	11	954	573
Amritsar	80	466	28	..	22	607	7	23	1,233	768
Gurdaspur	17	115	29	..	11	236	..	13	421	270
Kangra	9	62	9	51	17	109	..	..	211	155

	809	3,985	121	468	331	185	65	48	6,012	2,922
Lahore	..	..	121	468	331	185	65	48	6,012	2,922
Ferozepore	52	238	11	..	16	218	6	6	547	365
Sheikhupura	26	105	..	..	16	175	..	3	325	194
Sialkot	45	143	..	..	13	48	..	8	257	275
Gujranwala	17	112	..	31	7	125	2	24	318	288
Lysallpur	45	212	1	..	33	239	7	59	596	376
Gujrat	28	72	..	62	4	21	..	1	188	103
Multan	42	220	1	..	6	220	4	..	493	375
Muzaffargarh	2	32	..	..	3	106	..	..	143	95
Dera Ghazi Khan	7	48	13	..	..	101	..	2	171	119
Montgomery	28	234	28	..	16	435	1	2	744	612
Jhang	1	61	..	..	..	198	..	1	261	145
Rawalpindi	289	1,156	197	139	85	773	9	5	2,653	1,371
Attock	16	60	2	..	10	16	4	1	100	57
Jhelum	21	70	2	..	..	96	1	2	182	120
Mianwali	1	17	..	..	..	19	..	..	37	35
Shabpur	5	101	13	203	3	..	2	12	339	277
Total	1,714	8,528	673	1,306	694	5,838	125	243	19,121	11,276

## WHEEL TAX ON MOTOR VEHICLES.

**\*1425. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Public Works be pleased to state the names of municipalities which realise wheel tax on motor vehicles with the rate and amount of such tax realized by them on private and public vehicles during the year 1936-37 and up to 30th November of year 1937-38 separately and the number of such vehicles within the limits of each municipality?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** I regret the reply to this question is not yet ready.

## WHEEL TAX ON MOTOR VEHICLES.

**\*1426. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Public Works be pleased to state the number of cars and lorries, public and private, plying in town where the municipalities concerned charge no wheel tax?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** I regret the reply to this question is not yet ready.

## MOTOR DRIVERS CHALLANED AND CONVICTED.

**\*1427. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Revenue be pleased to lay on the table a statement showing—

- (a) the number of drivers of private and public cars and lorries challaned since the beginning of the year 1937-38, in the province;
- (b) the number of those among them who were convicted;
- (c) the number of those acquitted;
- (d) the number of those who were not proceeded against after scrutiny;
- (e) the amount of fines per quarter imposed and charged from the drivers found guilty during this period?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a), (b), (c) and (d) The following figures are reproduced from the Note on the Administration of Criminal Justice in the Punjab during the year 1936.

	NUMBER OF CASES.				NUMBER OF PERSONS.		
	Offences reported.	Returned as true.	Brought to trial.	Under trial including pending from previous years.	Acquitted or discharged.	Convicted.	Remaining under trial.
Indian Motor Vehicles Act, 1914 ..	23,357	22,411	22,411	22,519	2,221	20,251	47

Figures for 1937 are not yet available.

(e) No returns are submitted by the courts of the fines realized under the various Acts separately, and the information required could not be collected without a disproportionate expenditure of time and labour.

**SUGARCANE HARVEST IN ROHTAK, GURGAON, HISSAR AND  
KARNAL DISTRICTS.**

**\*1428. Pandit Shri Ram Sharma :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether the Government is aware of the fact that in the southern districts of Rohtak, Gurgaon, Hissar and Karnal in the Punjab the last kharif sugarcane harvest was greatly damaged and destroyed to a certain extent by the insect called 'tetri' ;
- (b) whether it is also a fact that large number of villages made representations to the local authorities and the Government for suspensions and remissions of land revenue and *abiana* on a grand scale ; if so, the number of such villages, in each of the four districts ;
- (c) the steps that were taken or are being taken by the Government to relieve the sufferings of the zamindars ?

**The Honourable Dr. Sir Sunder Singh Majithia :** (a) Some damage is reported from Rohtak and Karnal districts and none from Gurgaon. In Hissar the damage has been very small.

(b) Applications for suspension and remission, including those resulting from damage to the sugarcane crop were received from—

					Villages.
(1) Hissar	..	..	..	..	75
(2) Rohtak	..	..	..	..	90
(3) Gurgaon	..	..	..	..	20
(4) Karnal	..	..	..	..	58

(c) Experiments to determine actual reduction in the normal yield of sugarcane, are being conducted with a view to granting remissions, where necessary in land revenue and *abiana* for *kharif* 1937. In regard to damage to crops generally, relief is already being given in the shape of remissions and suspensions and liberal advances of *taccavi*.

**MACLAGAN ENGINEERING COLLEGE, MOGHALPURA.**

**\*1429. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister of Public Works be pleased to state—

- (a) the total number of Europeans and Anglo-Indians on the staff of the MacLagan Engineering College, Moghalpura, their total monthly pay and overseas allowance ;
- (b) the total number of Indians on the staff of the MacLagan Engineering College, their total monthly pay, as compared with the total monthly pay of the European staff, including their overseas pay ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) Four Europeans and one Anglo-Indian. Total monthly pay *plus* overseas allowances Rs. 6,065.

(b) Seventy-eight Indians including inferior staff. Total monthly pay Rs. 9,538.

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WORKSHOP SUPERINTENDENT OF MACLAGAN ENGINEERING COLLEGE,  
MOGHALPURA.

**\*1430. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister of Public Works be pleased to state—

(a) the educational qualifications of the Workshop Superintendent appointed in the MacLagan Engineering College, Moghalpura ;

(b) whether the Workshop Superintendent referred to in (a) had had any technical education in any Engineering College of Great Britain ;

(c) whether the said Workshop Superintendent secured the distinction of A. M. I. M. E. before June, 1936, or after June, 1936 ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) The College Superintendent of Workshops was educated at the Secondary School, Plymouth, and at the Civil Service School, Plymouth. He passed in 1905 the examination of entry to H. M. Dockyard as Royal Naval Artificer Apprentice, from which he passed out in 1909 with First Class Certificates for both Engineering Theory and Practice and was awarded two Admiralty prizes and recommended for accelerated promotion in the Royal Navy.

He subsequently qualified for Royal Navy Certificates of Competency for Charge of Boiler-room, Charge of Engine-room and Oil Fuel and Turbines.

(b) No. He has, however more than 30 years first class engineering and workshop experience gained with the Royal Navy and the Royal Air Force, during which he was successively promoted Chief Petty Officer, Warrant Officer, Captain and Flight Lieutenant (all in the technical and workshop branches of the services mentioned), which represents far more valuable qualifications for the particular post which he occupies than would any course at an Engineering College. In the case of Superintendent of Workshops, practical experience is the essential qualification required.

(c) He secured the distinction of A. M. I. Mech. E., some years before June, 1936. There is no recognised distinction known as A. M. I. M. E.

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WORKSHOP SUPERINTENDENT, MACLAGAN ENGINEERING COLLEGE,  
MOGHALPURA.

**\*1431. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister of Public Works be pleased to state—

(a) whether the post of Workshop Superintendent of MacLagan Engineering College, Moghalpura, was ever advertised in any Indian newspaper ; if not, why not ;

- (b) whether there was no qualified Indian available in the whole of India who could be found suitable for the job of Workshop Superintendent of the said college;
- (c) whether the present Workshop Superintendent has ever worked in any of the technical institutions of Great Britain as a Workshop Superintendent or in similar other capacity previous to his present appointment?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) The reply is in the negative. For communal reasons partly and partly to obtain a first class officer on whom depended the success or otherwise of the Workshops it was decided by the previous Government to recruit a European.

(b) *Vide* (a) above.

(c) The reply is in the affirmative.

WORKSHOP SUPERINTENDENT, MACLAGAN ENGINEERING COLLEGE,  
MOGHALPURA.

**\*1432. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister of Public Works be pleased to state—

- (a) the nature of productive work like repairs, manufacture of oil engines and the like produced under the present Workshop Superintendent of the MacLagan Engineering College, Moghalpura, since his arrival in October, 1936;
- (b) the number of various subjects relating to engineering regarding which the said Workshop Superintendent has been made an examiner and whether he studied and got training about those subjects in any engineering institution abroad; if so, for how long;
- (c) the total amount of money which the said Workshop Superintendent received as examination fees during the year 1936-37;
- (d) the arrangement of examining the various subjects referred to in part (c) above before the appointment of the said Workshop Superintendent;
- (e) whether he does any lecture work; if not, why not;
- (f) whether it is a fact that in spite of the presence of a highly paid Workshop Superintendent on the staff of the MacLagan Engineering College, the lectures on Workshop Administration were delivered by an outsider from the North-Western Railway, who charged a fee for the same;
- (g) the number of lectures delivered by the said Workshop Superintendent during the last three months?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) A statement is laid on the table.

(b) Two. Engineering, Drawing, Mechanical and Electrical and Project. These are practical subjects for which practical experience alone is essential and the Superintendent of Workshop possesses 30 years first class experience.

[Minister for Public Works.]

(c) Nil.

(d) Prior to the appointment of the Superintendent of Workshops outside examiners were employed for the subjects referred to in (b) but considerable difficulty was experienced in obtaining suitable examiners.

(e) No, except as mentioned in (f) below. He was not engaged to do such work but to supervise the College Workshops and the Workshop classes which extend from 8 A. M. to 5 P. M. daily.

(f) The Workshop Administration lectures, since their introduction into the curriculum, have been delivered by Professor Berry of the College Staff, except for a special series of 8 lectures annually that were entrusted to an officer of the North-Western Railway, Chief Mechanical Engineer's Department, and for which a fee was paid. The latter was considered necessary to bring in the teaching of the latest production methods and practice. However, with the arrival of the new College Superintendent of Workshops, it has been decided that he should undertake them for this Session.

(g) Nil,—*vide* (e) above. He has, however, constantly lectured and given instructions at the College Workshops as the courses of instruction have called for.

*Work carried out under the present Workshop Superintendent since  
October 1936 includes*

(i) The installation of all the new equipment for the College Workshops sanctioned in the 1936-37 budget including 2 lathes, 1 milling machine, 1 planing machine, 1 radial drilling machine, 1 universal grinding machine, 1 power hammer, 1 foundry cupola with blower, 1 electric test-bench, and 1 welding plant, and the manufacture and erection of all shafting, stanchions, etc., for same.

(ii) Incidental to the extensions of the College Workshops and new equipment referred to in (i) the moving of 1 metal-working lathe, and 3 wood-working lathes, 1 power hack-saw, 1 band-saw, and 1 large forge, and the manufacture and erection of all shafting, stanchions, etc., for same.

(iii) Manufacture and installation for the College Workshops of 1 electric-winding drying oven, 2 smithy furnaces, 1 non-ferrous foundry furnace, as well as a number of benches, racks, cup-boards, and other fitments, etc.

(iv) Manufacture for the College Workshops of a complete set of foundry tools (including moulding boxes), machine screw-jacks, try-squares, hammers, chisels, punches, tongs, and many other small tools.

(v) The equipping of the College Hydraulics Laboratory including installing the new equipment sanctioned in the 1936-37 budget, namely pump, turbine, pipe, friction apparatus, and venturi-meter (as well as pelton wheel shifted from other laboratory); installing all necessary piping, valves, etc., and erecting two large supply tanks on the College roof, and the manufacturing and installing of measuring tanks, pressure tank, weirs, schutes, and other fittings.

(vi) Dismantling and re-erecting at the College the whole contents, machinery, switch-boards and instruments of the Electric Inspector Testing Laboratory, which has been transferred to the College, and wiring same.

(vii) Overhauling the engines in the College Heat Engines Laboratory.

(viii) Manufacturing an oil testing apparatus for the Punjab University Chemistry Laboratories, a Heat Transfer apparatus for the College Chemistry Laboratory, and a wood-working lathe for the College Workshops.

(ix) Reconditioning and mounting for instructional purposes a number of motor car parts acquired as "scrap." Reconditioning electric fans and motor-car dynamos acquired as "scrap."

(x) Numerous items of "Service" work for the College Laboratories.

**MURDER OF SHRIMATI KISHANDEVI, WIFE OF LALA SARAB DIAL.**

**\*1433. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state—

(a) whether his attention has been invited to the factum of robbery and murder of Shrimati Kishandevi, wife of Lala Sarab Dial, Gali No. 7, Ramgali, Lahore, on 17th December, 1937, in broad day-light;

(b) whether the culprit or culprits have so far been arrested or not;

(c) the approximate time within which the investigation by the police may be expected to be completed?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) Yes.

(b) No arrest has so far been made.

(c) It is not possible to give a date, but the honourable member may be assured that the investigation is being vigorously pressed.

**THEFTS BY MUSSALIS IN SHEIKHUPURA DISTRICT.**

**\*1434. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether he has recently received any complaints from the people concerned against the attitude of the police and other officials regarding cases of thefts and other atrocities committed by *Mussalis* in Sheikhupura district during the last 3 months; if so, the action, if any, that the Government proposes to take in the matter?

**The Honourable Major Sir Sikander Hyat-Khan :** A letter on this subject was received by me in the middle of last month from the honourable member for the Ambala and Simla (General) Rural Constituency. A copy of this is laid on the table. Inquiries made show that every year numbers of Musallis from the south of the Sheikhupura district and from Lyallpur visit the Sidhanwali area in the hope of work in connection with rice harvest. There is doubtless a good deal of rice-stealing by these immigrants and it is possible that thefts of this kind were more common than usual this year, though not a single complaint appears to have been made at the police station. All reported cases of crime by the Musallis are of course investigated and prosecuted by the police in the regular way and it has been the practice to send up those of the *Musallis* whose conduct is such as to arouse suspicion for proceedings under section 109 of the Code of Criminal Procedure. The suggestion in the letter which I received last month that the police encourage crime on the part of the *Musallis*, or that they are at least indifferent to it, is absolutely unfounded.

*Copy of a letter, dated the 12th December, 1937, from Lala Duni Chand, M.L. A., Advocate, Ambala, to the Honourable Captain Sir Sikander Hyat-Khan, Premier, Punjab, Lahore.*

I was invited to preside over the District Political Conference, Sheikhupura, at Khunda Ledhake on 9th, 10th and 11th December, 1937. In course of my visit to that place I came to know the following facts. The area covered by Sidhanwali police station, Shahdara tahsil, Sheikhupura district, is mainly rice producing tract and its soil yields only one crop of *Kharif*, the harvesting months of which are October and November. It is a backward and poverty stricken part of the district and its 80 per cent. population is Muslim. From other parts of Sheikhupura district and Lyallpur district a large number of Mussalis spread themselves over the area comprised in Sidhanwali police station during the two months of October and November

[Premier.]

each year. It is commonly believed that these unwelcomed visitors migrate to this side with the connivance of or permission secured beforehand from certain police officers, particularly the police officials in charge of Sidhanwali police station. They receive the patronage and protection of certain Lamberdars, Sophdposhes and Zaildars through the police influence and take their temporary residence in improvised huts outside the Abadi of certain villages. It is even stated that some big men of the district are behind them. In the day time they take pains to ascertain in which threshing floors rice crop has been harvested and the heaps of rice are ready. Sometimes when they find the owners of the rice heaps too weak to resist them, they do not mind plundering the heaps of rice in day time but mostly they carry on their plundering operations at night either stealthily or openly as suits them. On certain occasions they attack the owners overwhelm them and forcibly carry away the rice loot. It is also commonly believed that they have already existing arrangements with certain railway officials of neighbouring railway stations to consign the booty to different places and for this purpose the aid of the railway officials is available to them at any hour of any day or any night. These plunderers enjoy almost complete immunity from any kind of legal action. Cases have happened in which the victims of plunder have been prosecuted for resisting the attacks of Mussalis. I was also told that they receive instructions from their patrons not to visit certain villages or individuals that are supposed to take good care of themselves but to visit only the weak and the poor who are unable to defend themselves.

The above facts were given to me not only by responsible, honourable and reliable congress workers of the district but also by certain other gentlemen who have nothing to do with the Congress. In a gathering of over 2,000 persons belonging to all communities I enquired from them on 10th December if these facts were correct and in spite of over awing presence of the Police Sub-Inspector and other police officials Sidhanwali police station everyone in the big assemblage endorsed the above facts and even some of the victims narrated as to how they had been attacked or plundered. I took pains to ascertain the true facts from every possible source and I could not find even a single person who contradicted what has been stated above.

A resolution setting forth the above facts and requiring you, the Deputy Commissioner of Sheikhupura district, the Inspector-General of Police, Punjab, and the Superintendent of Police, Sheikhupura district, to take prompt and effective steps to put a stop to the above-mentioned depredations was passed. As a proof of our *bona fides* and earnestness Dr. Gopi Chand, the Congress Party Leader in the Legislative Assembly, Dr. Satya Pal the Punjab Congress President who were present in the conference and myself undertake to have the above facts verified on the spot by the people of the *ilaga* and pledge our honour for the correctness of the same. Before this some time ago I had sent four representatives of the Muslim, Hindu, Sikh and Christian communities to give you first-hand information as to how the inhabitants of certain parts of Sialkot district had been for years the victims of an organised party of bribe takers and you were kind enough to hear them. Later on in a meeting of over 2,000 persons of the affected *ilaga* and presided over by Sheikh Ghulam Rasool, a Unionist member of the Punjab Legislative Assembly, responsible men openly and boldly narrated the story. Resolutions passed in the meeting against the organised campaign of bribery and blackmailing were sent to the authorities including your goodself for protection but so far it appears nothing has been done.

The above are only two samples from many humanity staggering incidents that are happening in every part of the Punjab and the congressmen like myself get first-hand information of some of these incidents. If your Government can put a stop to these incidents, you can well claim that you have done something. I shall attempt to raise a debate on the happenings of Sidhanwali police station through an adjournment motion on the re-opening of the Assembly and if before that you shall have taken the necessary steps I shall not be grudging in offering handsome tributes of praise to you. I have sent a copy of this representation to the Deputy Commissioner of Sheikhupura, the Inspector-General of Police, Punjab, and the Superintendent of Police, Sheikhupura, for information and action.

SECURITY DEPOSITED BY DEWAN PRINTING PRESS.

\*1435. **Sardar Hari Singh** : Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that a security of Rs. 2,000 was demanded from "Karamvir" a Lahore Journal, for publishing report of a speech which was considered objectionable by the Government and was deposited by the said paper ;

- (b) whether it is a fact that the "Dewan Printing Press" where the said journal is printed, was for the same reasons asked to deposit a security;
- (c) whether it is a fact that the security deposited by the "Karamvir" has been returned;
- (d) whether it is also a fact that the security of the press concerned has not been returned so far; if not, reasons therefor?

**The Honourable Major Sir Sikander Hyat-Khan :** (a), (b) and (c) Yes.

(d) Yes. The question is under the consideration of Government.

CRIMINAL INVESTIGATION DEPARTMENT REPORTERS AT LAJPAT RAI HALL.

**\*1436. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that C. I. D. reporters were deputed to attend the function held recently at Lajpat Rai Hall, Lahore, in honour of the Honourable Premier of Orissa, a Minister each of the Madras and Bombay Governments and a Parliamentary Secretary of the United Provinces Government and to take notes of speeches made there;
- (b) whether it has been brought to his notice that resentment was expressed at this treatment offered to the honourable guests; if so, the steps proposed to be taken to prevent recurrence of similar incidents in future?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) Police reporters attended the meeting in the ordinary course of their duties.

(b) Yes. Government does not propose to take any action.

PROCLAMATION UNDER SECTION 7 OF LAND PRESERVATION (CHOS) ACT IN VILLAGE CHALOT.

**\*1437. Sardar Hari Singh :** Will the Honourable Revenue Minister be pleased to state—

- (a) whether it is a fact that a proclamation under section 7 of the Land Preservation (Chos) Act has been made in village Chalot of tahsil Una, district Hoshiarpur, recently; if so, the exact date on which this proclamation was made;
- (b) whether it is a fact that the people of the said estate have submitted a memorial to the authorities raising therein certain objections against the order proclaimed; if so, whether Government has instituted an inquiry into objections raised and, if so, the result thereof;
- (c) whether he will please lay a copy of the memorial mentioned in (b) above on the table of the House?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) The original prohibition was notified under section 4 of the Land Preservation (Chos) Act by Punjab Government notification No. 908-E, dated the 26th February, 1937. The date of the subsequent notification by the Deputy Commissioner has not been reported.

(b) Yes. The petition, dated December, 1937, was addressed to His Excellency the Governor and was received in the Secretariat on the 31st December, 1937. It is being sent to the Deputy Commissioner who will no doubt take action on this as required by section 7 of the Act above referred to.

(c) <sup>1</sup>A copy is laid on the table.

#### CONFISCATION OF PROPERTY OF AMIR HAIDER.

**\*1438. Sardar Hari Singh :** Will the Honourable Premier be pleased to state whether it is a fact that the property of a state prisoner named Amir Haider has been confiscated by the Punjab Government ; if so, the date, grounds and circumstances leading to the confiscation of the property and whether the Government has since considered the question of restoration of that property ?

**The Honourable Major Sir Sikander Hyat-Khan :** It is not correct that the property of the state prisoner has been confiscated by the Punjab Government, but it is understood that certain orders were passed under section 88 of the Code of Criminal Procedure by one of the courts in the United Provinces when he was wanted as an accused in the Meerut Conspiracy Case. The second part of the question does not arise.

#### SARDAR BALWANT SINGH 'DUKHIA', A POLITICAL PRISONER.

**\*1439. Sardar Hari Singh :** Will the Honourable Minister for Finance be pleased to state—

(a) whether it is a fact that Sardar Balwant Singh 'Dukhia', a political prisoner, undergoing his sentence in the District Jail, Jullundur, after his conviction by the Additional District Magistrate, Hoshiarpur, on 23rd November last, is being treated as a 'C' class prisoner ;

(b) whether Government is aware of the fact that the prisoner is a person of high social status and public position ; if so, whether the Government is prepared to consider the question of awarding him a better class ?

**The Honourable Mr. Manohar Lal :** (a) While the prisoner's application for "B" class was under consideration by the District Magistrate he was treated as "C" class. Before a decision was reached, the prisoner was acquitted and released.

(b) Does not arise.

SARDAR BALWANT SINGH 'DUKHIA', A POLITICAL PRISONER.

**\*1440. Sardar Hari Singh :** Will the Honourable Minister for Finance be pleased to state the weight of Sardar Balwant Singh 'Dukhia', a political prisoner, undergoing his sentence in the District Jail, Jullundur, on his first admission to jail and his present weight, and the nature of labour he is required to do in jail?

**The Honourable Mr. Manohar Lal :** (1) His weight on admission to the Jullundur District Jail was 137 lbs.

(2) His weight on the 10th January, 1938, was 136 lbs.

(3) He is on medium labour on twisting *ban* (10 *chatanks* a day) as no other suitable labour is available in that jail.

‘TORTURE’ METHOD OF INVESTIGATION BY POLICE.

**\*1441. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

(a) whether a recent judgment of a Division Bench of the Lahore High Court including the Honourable Chief Justice; in the case *Crown versus Kiroo* under section 302 of the Indian Penal Code has been brought to his notice;

(b) whether he has made inquiries that ‘torture’ methods of investigation by police do exist in the Punjab; if so, the steps proposed to be taken by the Government for drastic eradication of the evil brought to light in the said judgment;

(c) action taken or proposed to be taken by the Government against those responsible for subjecting the accused in the case to illegal and despicable treatment in the words of the Honourable Judges;

(d) whether he will be pleased to lay a copy of the judgment in question on the table of the House?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) Yes.

(b) That cases of torture do occur cannot unfortunately be denied, but I do not believe that they are so common as has sometimes been suggested, and it is probably true to say that as compared with the state of affairs twenty or thirty years ago there has been a very real improvement. I need hardly add that Government, and the officers at the head of the police, are in complete accord with the Honourable Judges in their detestation of such abuses. It will perhaps be of interest to members if I quote the following passage from a paper of instructions issued by the Inspector-General to his officers in 1936 :—

There is only one thing to be said about such practices. They are indefensible and criminal in themselves; and a single act of such a nature by a single subordinate officer covers the whole force throughout the province, and particularly the whole force of the district in which the incident occurs, with ignominy.

As I have said, this was written by the head of the police himself, and the House may be sure that whenever proof can be obtained of the use of force against suspects in police custody, the most rigorous action is always taken.

[Premier.]

(c) A case under section 330, Indian Penal Code, has been registered and a selected Deputy Superintendent deputed to conduct the investigation.

(d) The judgment has already been published in the leading newspapers, and perhaps I may refer the honourable member to those reports.

**Diwan Chaman Lall :** A little while ago the Honourable Minister of Education stated that a reply to a certain question was laid on the table of the House. But among the replies laid on the table, I find that the reply to that particular question is not laid on the table.

**Minister for Education :** Which is the question ?

**Diwan Chaman Lall :** Question relating to the Government Medical School for Women at Ludhiana. I would like to know about the procedure. When an Honourable Minister says that the reply is laid on the table, it should be laid on the table for the information of honourable members.

**Minister :** Usually the copies of answers are received by the Secretary through the office, but here in this case I find that it is not received. I will lay it on the table within 2 minutes.

**Diwan Chaman Lall :** May I take it then that the statement made by the Honourable Minister was incorrect when he said that it was laid on the table ? I hope in future the Honourable Minister will lay copies of such answers on the table.

**Mr. Speaker :** It is a well-known maxim of equity : what is intended to be done may be taken as done.

#### SHORT NOTICE QUESTION AND ANSWER.

##### HUNGER-STRIKE BY A 1915-16 PUNJAB CONSPIRACY CASE PRISONER.

**Sardar Partab Singh :** Will the Honourable Minister for Finance be pleased to state—

- (a) whether Sardar Gurmukh Singh of 1915-16 Punjab Conspiracy case prisoner is on hunger-strike in the Multan Jail ;
- (b) the date on which he resorted to hunger-strike ;
- (c) his weight before and after the hunger-strike ;
- (d) his present state of health ?

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

(b) 20th November, 1937.

(c) 134 and 122 lbs., respectively.

(d) Fair.

**Sardar Partab Singh :** Is he given forced feeding ?

**Minister :** Yes, he is given forced feeding.

**Sardar Partab Singh :** Since when has this forced feeding been resorted to ?

**Minister :** I cannot give you the exact date, but he is on forced feeding.

**Sardar Partab Singh :** Is his condition serious ?

**Minister :** His condition is fair.

**Dr. Gopi Chand Bhargava :** What is his forced diet ?

**Minister :** The diet that this prisoner is receiving at present is, milk 4 lbs., sugar 4 ounces, eggs 3 and *dalia* 5 ounces.

**Dr. Gopi Chand Bhargava :** May I know whether *dalia* given by force is a good diet ?

**Minister :** Very fine *dalia* mixed with milk is being given.

**Dr. Gopi Chand Bhargava :** Whether any man can digest a solid thing without chewing it ?

**Minister :** The honourable member, a medical man, can answer this question himself.

### UNSTARRED QUESTIONS AND ANSWERS.

A BRANCH CANAL FOR IRRIGATING RAKH GHANSPUR, KANWALA, ETC.

**275. Khan Bahadur Sardar Muhammad Hasan Khan Gurchani :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that a scheme for taking a branch canal from Nurdhunthi at Pir Bakhsh regulator to irrigate *mawaziat* Rakh Ghanspur, Kanwala, Muhammad Hora and Hajpur was under the consideration of the Government in 1932 ;

(b) if the answer to (a) above be in the affirmative, whether this scheme has now been given up altogether ; if so, reasons for the same ; if not, what progress has been made in this respect ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) No.

(b) Does not arise.

### POWERS OF THE CANAL EXECUTIVE TO HEAR COMPLAINTS AGAINST ZAMINDARS.

**276. Lieutenant Bhai Fateh Jang Singh :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that all the reports made against zamindars regarding *warashikni*, etc., by petty officials such as patwaris and kanungos of the Irrigation department are heard by higher canal authorities ;

(b) if the answer to part (a) above be in the affirmative, whether the Government will lay on the table a statement showing the total number of such complaints which were heard by the canal authorities in the Punjab during the last ten years, and also the total number of decisions given in favour of zamindars or against them separately ;

(c) whether the Government intends to discontinue this practice and allow such cases to be tried by ordinary magistrates or officers of judicial department ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) It is regretted that the information is not available, and time and labour involved in collecting it will not be commensurate with the object to be achieved.

(c) The existing rules permit a cultivator to apply to the canal officers to levy *tawan* against a culprit of *warashikni* or to go to a civil court for redress. There is no intention at present to change this procedure.

#### INSPECTORS OF CO-OPERATIVE SOCIETIES BELONGING TO KAITHAL.

**277. Chaudhri Ranpat :** Will the Honourable Minister of Development be pleased to state—

(a) the number at present of Inspectors in the Co-operative Department who belong to tahsils Kaithal and Thanesar ;

(b) the number of agriculturists and non-agriculturists among them ?

**The Honourable Chaudhri Sir Chhotu Ram :** (a) None.

(b) Does not arise.

#### HINDU AGRICULTURISTS FOR THE POSTS OF PATWARIS AND KANUNGOS, ETC.

**278. Chaudhri Ranpat :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that the Hindu agriculturists are not given a separate representation in the recruitment of patwaris, kanungos, naib-tahsildars, tahsildars, whenever made ; if so, the action that the Government proposes to take in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** *First part.*—No. The attention of the honourable member is invited to serial No. 6 on page 5 of the consolidated statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on the 1st January, 1937.

*Second part.*—Does not arise.

#### REFUND OF PACHOTRA IN KAITHAL TAHSIL.

**279. Chaudhri Ranpat :** Will the Honourable Minister of Revenue be pleased to state the reason why the lambardari fee (*pachotra*) for *Fasal Kharif*, 1936, is being taken back from some of the lambardars of the tahsil Kaithal in Karnal district ?

**The Honourable Dr. Sir Sundar Singh Majithia :** The *pachotra* of certain lambardars belonging to the Kaithal tahsil, who did not pay the land revenue in due time, was forfeited to Government under rule 25 of the Land Revenue Rules, 1887.

## PAY OF SUFAIDPOSHES IN THE PUNJAB.

**280. Chaudhri Ranpat :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the present grades and the maximum pay of the sufaidposhes in the Punjab and the nature of work they are supposed to do ;
- (b) whether the Government has any proposal under consideration for increasing their pay ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) The grades of sufaidposhes vary from district to district between Rs. 30 and Rs. 100 per annum. As regards the nature of work they are required to do, attention is invited to rule 10 of the Land Revenue Rules.

(b) No.

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JUNIOR AND SENIOR VERNACULAR CLASSES IN VERNACULAR MIDDLE SCHOOLS IN KARNAL DISTRICT.

**281. Chaudhri Ranpat :** Will the Honourable Minister of Education be pleased to state the number of vernacular middle schools in the Karnal District and whether provision exists for junior and senior special classes in these schools ; if not, whether it is intended to make that provision now ?

**The Honourable Mian Abdul Haye :** There are 26 vernacular upper middle schools in the Karnal district. Junior and senior special classes are not attached to any of them as it is against the policy of the department to attach such classes to vernacular middle schools.

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ARREST OF AGRICULTURIST DEBTORS IN KARNAL DISTRICT.

**282. Chaudhri Ranpat :** Will the Honourable Minister for Finance be pleased to state whether it is a fact that a number of agriculturist debtors from tahsil Kaithal in Karnal district were arrested and imprisoned in civil jails in execution of money decrees during the last six months contrary to the provisions of the Debtors' Protection Act ; if so, the action proposed to be taken in the matter ?

**The Honourable Mr. Manohar Lal :** No complaints have been received by Government to this effect.

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PRIVILEGE OF MEMBERS.

MEMBERS' ENTRANCE INTO THE SECRETARIAT COMPOUND.

**Sardar Hari Singh :** On a point of privilege, Mr. Speaker. Before you proceed to the business of the day, I have to bring to your notice a very serious matter touching the privilege of the members of this House regarding free access to the Chamber and the Assembly office. I will give you a specific instance. Day before yesterday Sardar Harjab Singh and I were coming to the Assembly office. The police constable at the gate obstructed Sardar Harjab Singh, asked him about his pass and directed him to the thanedar to seek his permission before going further. This is a very serious matter which affects the privilege of honourable members of this House.

**Mr. Speaker :** I am grieved to hear what the honourable member has said and request the Secretary of the Assembly to take immediate steps to remove the complaint and see that it does not recur. Honourable members' entrance to the Chamber or exit from it should not be interfered with under any circumstances by the police or anybody else.

**Sardar Hari Singh :** To make the matter more clear, Sir, I do not think the police constables at the gate are under our Secretary. They are not the members of the watch and ward staff of the House.

**Mr. Speaker :** They are under my control as the representative of the House.

**Sardar Hari Singh :** There is one constable at the main gate—

**Mr. Speaker :** I have nothing to do with the entrance into the Secretariat compound. I am concerned only with this Chamber.

**Diwan Chaman Lall :** Surely, it is impossible for any member to enter this Chamber unless he is allowed to enter through the main gate. The point is that there should be no interference at the main gate.

**Mr. Speaker :** At the main gate of the Chamber, not at the main gate of the Secretariat.

#### ADJOURNMENT MOTIONS.

**Dr. Gopi Chand Bhargava :** Sir, what about the adjournment motions of which notices have been given for to-day.

3 P. M.

**Mr. Speaker :** They are not in order.

**Sardar Hari Singh :** On what grounds ?

**Dr. Gopi Chand Bhargava :** I have to submit, Sir, whether it will not be advisable to afford us an opportunity to let us have our say on the floor of the House.

**An Honourable Member :** How many adjournment motions were given notice of ?

**Mr. Speaker :** Three. Two were almost identical ; while the third was differently worded.

**Diwan Chaman Lall :** I would submit, Mr. Speaker, that in such cases, the honourable member giving notice of an adjournment motion might be heard by you on the floor of the House before you rule that motion to be out of order. That would be more advisable because members will be prevented from giving notice of adjournment motions on similar matters.

**I. BY SARDAR HARI SINGH :** To discuss a definite matter of urgent public importance, namely the order promulgated by the District Magistrate of Lahore under section 144 of Criminal Procedure Code, prohibiting the members of the Punjab Political Prisoners' Release Committee and their allied bodies to march in a procession within one mile radius of the Punjab Legislative Assembly Hall from 22nd January till 31st January, 1938, causing grave resentment in the popular mind and likely to precipitate a political crisis.

**II. BY SARDAR HARI SINGH :** To discuss a definite matter of urgent public importance, namely, the refusal by the authorities to allow facilities to the procession of the Punjab Political Prisoners Release Committee to voice their grievances to-day to the Premier, the Cabinet and the House.

**III. BY DR. GOPI CHAND BHARGAVA :** To discuss a definite matter of urgent public importance, namely, the serious situation created by promulgation of an order under section 144, Criminal Procedure Code, dated 22nd January, 1938, in connection with the contemplated non-violent and peaceful demonstration arranged by Political Prisoners Release Committee.

**Mr. Speaker :** I may inform honourable members that immediately after notices of adjournment motions were received, I communicated to the Secretary on 'phone my reasons for the refusal of my consent. I understand that a sufficiently long discussion took place between the Secretary and the honourable members, who had given notices, and that my reasons, for refusing consent, were communicated to the members concerned. I may also inform the honourable members that our practice in the old Council was to have a motion, which in my opinion was irregular, discussed in my room and not in the House. At the request of certain members, I changed that practice, as an experimental measure, when this Assembly came into being. But I find that too much time of the House is wasted in discussing the regularity of motions on the floor of the House. I am, therefore, inclined to revert to the practice, which was in vogue for over 12 years. That is to say, the member giving notice of an adjournment motion may discuss with me the question of its admissibility in my room and not in the House. However, if it is the wish of the House that that discussion should take place on the floor of the House, I have no objection.

**Diwan Chaman Lall :** I am very grateful to you, Mr. Speaker, for leaving it to the House to decide what course it should adopt in matters of this nature, i.e., whether the regularity or otherwise of a motion should be discussed in the House or not. I have in my mind a similar motion that was moved in the House of Commons regarding marchers marching to the House of Commons. Here, I do not know—I stand subject to correction—whether the facts are on all fours with what happened in the House of Commons, but the fact is that that particular motion was brought before the House. I, therefore, submit that it should be within the competence of the House alone to have the matter discussed or to turn it down.

**Premier :** I submit, Sir, that the procedure adopted by you is in the interests of all sides of the House. The admissibility or otherwise of an adjournment motion should be entirely in the discretion of the Speaker. However, in exceptional cases when a matter of great importance is involved, the motion should be circulated to the members and should be discussed. But as a general rule, I submit, that if a member wishes to press his point of view he should do so in your room so that the time of the House is not wasted. My reason for this is quite obvious. Only the other day one half to three quarters of an hour was taken away for discussing the admissibility of the motion and two hours to talk it out. Therefore, it is in the interest of the time of the House as well as for the convenience of the honourable members that I suggest and request you to adhere to the decision which you have already taken on the subject.

**Mr. Speaker :** As Rules of Procedure are under discussion, amendments to those may be moved and passed. That will be the best way out of the difficulty.

**Lala Deshbandhu Gupta :** With regard to the particular adjournment motion that is now under consideration, I would request you to allow the Leader of the Opposition to discuss the matter here, in view of the suggestion of the Honourable Premier that in exceptional cases the admissibility of a motion may be discussed on the floor of the House.

**Mr. Speaker :** I understand that the honourable member has discussed the matter with the Secretary of the Assembly and heard from him reasons for refusal of my consent.

**Lala Deshbandhu Gupta :** You may be pleased to revise your decision.

**Chaudhri Kartar Singh :** May I respectfully remind you, Sir, that during the last budget session at Simla you were pleased to discuss the admissibility of an adjournment motion given notice of by Begum Shah Nawaz *re* Palestine, in spite of the fact that you knew it before-hand that the motion was to be ruled out of order ?

**Mr. Speaker :** The House will now proceed with the business of the day.

### PAPERS LAID ON THE TABLE.

#### SUPPLEMENTARY STATEMENT OF EXPENDITURE AUTHENTICATED BY GOVERNOR.

**Minister for Finance** (The Honourable Mr. Manohar Lal) : As required by section 81 of the Government of India Act, 1935, I lay on the table the supplementary statement of expenditure for the year 1937-38, authenticated by His Excellency the Governor.

As required by section 81 of the Government of India Act, 1935, I hereby authenticate the following supplementary statement of expenditure for the financial year 1937-38, which specifies :—

- (a) the supplementary grants made by the Punjab Legislative Assembly in its session held in January 1938, and
- (b) the sums required to meet the expenditure charged on the revenues of the province.

#### SUPPLEMENTARY STATEMENT.

Grant No.	Major head of account.	Supplementary grants made by the Punjab Legislative Assembly.	Sums required to meet expenditure charged on the revenues of the Province.	Total.
1	2	3	4	5
		Rs.	Rs.	Rs.
4	10-Forests .. .. .	1,29,740	7,830	1,37,570
9	68-Construction of Irrigation Works	2,45,140	..	2,45,140
16	37-Education (excluding European and Anglo-Indian Education).	40,000	..	40,000
18	39-Public Health .. ..	24,740	..	24,740
20	41-Veterinary .. .. .	11,500	..	11,500

Grant No.	Major head of account.	Supplementary grants made by the Punjab Legislative Assembly.	Sums required to meet expenditure charged on the revenues of the Province.	Total.
1	2	3	4	5
		Rs.	Rs.	Rs.
28	79-Capital outlay on Electric Schemes—Hydro-Electric Schemes (other than Establishment).	1,06,763	..	1,06,763
33	57-Miscellaneous .. ..	89,350	20,450	1,09,800
7	XVII-Irrigation-Working Expenses	10	..	10
	18-Other Irrigation Expenditure financed from ordinary Revenue.			
10	25-General Administration ..	10	..	10
11	27-Administration of Justice ..	10	..	10
23	50-Civil Works .. ..	10	..	10
26	Charges on Public Works Department-Hydro-Electric Establishment.	10	..	10

LAHORE:

H. W. EMERSON,

The 19th January, 1938.

Governor of the Punjab.

### HUNGER STRIKE OF POLITICAL PRISONERS.

#### ALLOTMENT OF TIME FOR DISCUSSION.

**Premier:** You will remember, Sir, that my honourable friend, the Leader of the Opposition asked for some time for discussion of the situation created by hunger strike of certain political prisoners. I suggest, subject to your approval, that we may discuss that matter to-morrow from 5 to 7 if that be suitable and convenient to the honourable member opposite.

In this connection I might mention for the information of my honourable friend opposite that I would be willing to receive a small deputation of this committee if they want to see me in that connection and to give them a patient hearing.

**Dr. Gopi Chand Bhargava:** May I know whether you would be prepared to give me the whole day or two hours?

**Premier:** It would be impossible to find a whole day for this discussion. My honourable colleague promised only two hours. (*Voices: No, no.*)

**Minister for Revenue:** Two hours definitely were promised.

**Premier :** We are hard pressed for time. We have a large amount of official business to go through. As I submitted the other day, it will not, probably, be possible for us to sit beyond the 28th and I should like the House to help us by getting through the Rules and Standing Orders so that when we meet for the budget session, we should be governed by our own Rules and Standing Orders instead of the *Interim* Rules framed by the Governor and, therefore, I hope that all sections of this House will co-operate with the suggestion to get the rules through as quickly as possible. I might repeat that it will not be possible to extend the session beyond the 28th of this month.

**Dr. Gopi Chand Bhargava :** May I suggest that you give us two hours out of ordinary business and sit for another one and-a-half hours so that we may have full time for its discussion? I may tell you that as far as my memory goes, I was promised a full day. There was no question of hours.

**Minister for Revenue :** My honourable friend has probably misunderstood me. I clearly remember that I agreed to give only two hours.

**Mian Muhammad Iftikhar-ud-Din :** This question was brought up more than twice.

**Minister for Revenue :** I said the ordinary course of discussion on these matters is two hours. I would certainly not have committed the Premier.

**Lala Deshbandhu Gupta :** I would suggest that on a matter like this it becomes unpleasant if two honourable members from the two sides of the House hold a different view on some point of fact. I think the best course in an event like this is to refer to the proceedings as reported by the official reporters. If it were a question of only two hours, you would as well have allowed the adjournment motion on that very day. It was a question of a whole day, otherwise there was no use asking the Government to give us time to discuss this matter.

**Mr. Speaker :** When the Premier or any other Government Member makes a statement, generally speaking, it ought to be believed unless there are strong reasons to the contrary.

**Mian Muhammad Iftikhar-ud-Din :** It should cut both ways. When we make a statement, they should also believe it unless they have some definite reason to say otherwise. It was the whole day that they promised to give us.

**Mr. Speaker :** I have no reason to disbelieve the honourable members. But when there is a difference, I think the only way to settle it is by reference to the report of proceedings.

**Lala Deshbandhu Gupta :** It means that the Honourable Minister for Revenue disbelieves this side of the House.

**Premier :** There is no question of believing my honourable colleague for the present or disbelieving him. The position is that when this undertaking was given by my colleague, it was on the understanding that the adjournment motion will not be moved. Normally only two hours are allowed for an adjournment motion and, therefore, it is no fault of my colleague when he gave that undertaking. My honourable friends opposite may not have understood him but my honourable colleague here was at

that time under the impression that instead of an adjournment motion they wanted time out of Government business and, therefore, for that purpose he agreed to give that time. I will be quite willing to accept the suggestion of my honourable friends with regard to giving time outside ordinary hours. It will give us more time to discuss ordinary business, but it was in deference to convenience of this House and honourable friends opposite that I suggested 5 to 7 instead of from 6-30 to 8-30 P.M. If he is willing to take it up after 6-30, I have no objection to it and am also willing.

**Dr. Gopi Chand Bhargava :** Two hours from your time and one and a-half hours from the—

**Premier :** No I am afraid I cannot agree to that.

**Dr. Gopi Chand Bhargava :** May I remind the Honourable Minister for Revenue that when I requested—

**Mr. Speaker :** Up till now I have received no notice of the motion proposed to be discussed.

**Dr. Gopi Chand Bhargava :** The other day you told me that if I wanted some time from the Leader of the House it was a question between me and him. He promised that he will let us have the time.

**Mr. Speaker :** Time is no doubt to be fixed by the Honourable Leader of the House, but a notice of the motion has to be given by the honourable member. He may give the requisite notice now.

**Dr. Gopi Chand Bhargava :** I am just making to him a request as regards the time for the discussion of that motion and not with regard to the substantive motion.

**Mr. Speaker :** The honourable member might settle with him.

## THE PUNJAB MOTOR TRAFFIC OFFENCES BILL.

**Minister for Revenue** (The Honourable Dr. Sir Sundar Singh Majithia): Sir, I beg to introduce the Punjab Motor Traffic Offences Bill. I also move—

That the Punjab Motor Traffic Offences Bill be referred to a select Committee consisting of—

The Honourable Minister of Public Works,

Mir Maqbool Mahmood,

Rai Bahadur Mr. Mukand Lal Puri,

Diwan Chaman Lall,

Mian Muhammad Iftikhar-ud-Din,

Mr. S. P. Singha,

Sardar Pritam Singh Sidhu,

Khan Muhammad Yusuf Khan,

Chaudhri Jugal Kishore,

Nominee of the Speaker, and

The Honourable Minister for Revenue.

**Mr. Speaker :** Motion moved—

That the Punjab Motor Traffic Offences Bill be referred to a select committee consisting of—

The Honourable Minister of Public Works,

Mir Maqbool Mahmood,

Rai Bahadur Mr. Mukand Lal Puri,

Diwan Chaman Lal,

Mian Muhammad Iftikhar-ud-Din,

Mr. S. P. Singha,

Sardar Pritam Singh, Sidhu,

Khan Muhammad Yusuf Khan,

Chaudhri Jugal Kishore,

Nominee of the Speaker, and

The Honourable Minister for Revenue.

May I suggest to the House that the name of the Advocate-General should necessarily be included in every select committee to which a Bill is referred ?

**Minister for Revenue :** I have no objection. The Advocate-General's name may be included.

**Mr. Speaker :** Then there shall be twelve members of the select committee. The twelfth member is the Honourable Diwan Ram Lal, Advocate-General.

**Sardar Hari Singh** (Kangra and Northern Hoshiarpur, Sikh, Rural) : Sir, I beg to move—

That the Punjab Motor Traffic Offences Bill be circulated for the purpose of eliciting opinion thereon by the 28th February 1938.

The Statement of Objects and Reasons states that the object of the Bill is to give the persons accused of motor offences option to appear or not to appear in a court in certain cases. The second main object of the Bill is stated to be to empower the police to impound the driving licence and other documents held by an offender pending his appearance in court, giving him a special temporary permit in lieu. While moving this amendment I know full well that the deputation of the Punjab Motor Union has been pressing on the Punjab Government for some time to enable the motorwalas to appear or not to appear in certain cases in the courts but there are certain other provisions which are put into this Bill at the Government's own initiative and for certain other purposes which will not be helpful to the motor industry at all. My point is that the motor industry which is going to be affected by this Bill should be consulted before this measure is passed by the House. If the mover of the Bill has got the right to be heard by the House, so is the opinion of the motorwala to be heard by this House. That is my point. Only the wearer knows where the shoe pinches and not the shoemaker. I, therefore, submit that this Bill should be circulated so that the Punjab Motor Union, whose branches are to be found all over the Punjab, may give their opinion on the provisions of this Bill. They may enable us to know their viewpoint on the various provisions of the Bill. They may tell us how these provisions are going to affect them—for good or for evil. There are certain features of this Bill—I am not referring to them in detail—which may pinch the motor industry and affect adversely the motor interests.

But I would not press this motion if I am given a definite assurance that the select committee that is going to be set up will give due notice to the Punjab Motor Union and ask it to give evidence before this select committee as also lay its points before it. I would not press my amendment if the Punjab Motor Union is going to be heard after due notice. It will then serve my object. If the Government give definite assurance that the Punjab Motor Union will be given due notice, it will be allowed to consider its provisions and then lay its evidence before the select committee and that evidence will be placed also before this House, then I am not going to press this motion.

**Raja Ghazanfar Ali Khan** (Parliamentary Secretary): May I ask one question from the honourable member? He said in his speech that there are certain provisions of this Bill which the Government have put of their own accord and which might be objected to by the Unionist Party. May I ask him what those provisions are?

**Sardar Hari Singh**: One instance is about the impounding of licences. The motorwalas never asked for this provision.

**Mr. Speaker**: Motion under consideration, amendment moved—

That the Punjab Motor Traffic Offences Bill be circulated for the purpose of eliciting opinion thereon by the 28th February 1938.

**Minister for Revenue** (The Honourable Dr. Sir Sundar Singh Majithia): Sir, I had hoped that the measure which I have put forward before this House would not receive any adverse comment from my friends on the opposite benches. The measure simply provides for the offences which might be committed by the motorwalas, as he calls them, that they should not have to come to the court and they should not be put to the inconvenience of having to engage pleaders and they should not be put to inconvenience in case they had to come from any other province or in case they come from any other district. It is provided in the Bill that if the licence and the money that is specified by the court is sent to the court in time then no further action would be taken by the court to get the accused person to come to the court and the case would proceed in his absence. My friend says that a new thing has been brought in by impounding licences while he forgets one thing which has been very clearly provided. If the licence is taken away a permit will be given by the police officer who takes that licence to allow him to go and work for earning his living. I cannot understand how the taking away of a licence and giving him a permit is something which is extraordinary according to my friend. If I may say so, it is a better provision. It gives all necessary facilities to the man whose licence has been taken away to ply for hire and earn his living. Under these circumstances I feel there is nothing new that Government has brought into this Bill. He has asked me if the Union will be given an opportunity of being heard. There is no bar to the union or persons coming forward and placing their views before the select committee; or they can send anything in writing to the committee who will consider it. There is no other way of dealing with the question. I think up to this time it has not been the practice for any select committee to go from place to place and hear individuals in those places and then come to a decision.

[Revenue Minister.]

The Bill is a small one which ought to have had the sympathy and support of my friends opposite. Anyhow I believe that after the explanation which I have given he will see his way not to press his motion.

*The amendment was by leave withdrawn.*

**Mr. Speaker :** The question is—

That the Punjab Motor Traffic Offences Bill be referred to a select committee consisting of—

- (1) The Honourable Minister of Public Works,
- (2) Mir Maqbool Mahmood,
- (3) Rai Bahadur Mr. Mukand Lal Puri,
- (4) Diwan Chaman Lal,
- (5) Mian Muhammad Ittikhar-ud-Din,
- (6) Mr. S. P. Singha,
- (7) Sardar Pritam Singh Sidhu,
- (8) Khan Muhammad Yusuf Khan,
- (9) Chaudhri Jugal Kishore,
- (10) Nominee of the Speaker,
- (11) The Honourable Minister for Revenue, and
- (12) Advocate-General.

*The motion was carried.*

## THE PUNJAB ALIENATION OF LAND (AMENDMENT) BILL.

**Minister for Revenue** (The Honourable Dr. Sir Sundar Singh Majithia) : Sir, I beg leave to introduce the Punjab Alienation of Land (Amendment) Bill. Sir, I also beg to move—

That the Punjab Alienation of Land (Amendment) Bill be referred to a select committee.

**Mr. Speaker :** The question is—

That the Punjab Alienation of Land (Amendment) Bill be referred to a select committee.

*The motion was carried.*

**Minister for Revenue :** I beg to move—

That the select committee shall consist of—

- (1) The Honourable Chaudhri Sir Chhotu Ram,
- (2) Dr. Gopi Chand Bhargava,
- (3) Sardar Sanpura Singh,
- (4) Khan Bahadur Nawab Chaudhri Fazl Ali,
- (5) Khan Bahadur Nawab Muzaffar Khan,
- (6) Khan Bahadur Chaudhri Riasat Ali,
- (7) Bhai Fatehjang Singh,
- (8) Diwan Bahadur Raja Narendra Nath,
- (9) Chaudhri Jalal-ud-Din Amber,
- (10) Advocate-General,
- (11) Nominee of the Speaker, and
- (12) The mover.

*The motion was carried.*

## RULES OF PROCEDURE.

## Rule 20.

**Mr. Speaker :** Now the House will proceed to consider the Draft Rules. Rule under consideration, the motion moved is—

That in sub-rule (9), lines 3—5, the words 'nor the.....substantive motion', be deleted.

**Lala Duni Chand** (Ambala and Simla, General, Rural) : Sub-rule (9) consists of two parts. The first part is this—it must not refer to the character or conduct of any person except in his official or public capacity. It is quite true that only the official or the public capacity of a person can be called in question. That is all that is required, but the second part of this sub-rule is quite unnecessary. It says : "nor the character or conduct of any person which can be challenged only on a substantive motion." Whether the conduct or character of any person can be challenged by a substantive motion or not that is immaterial. So far as the right of putting questions is confined only to his official or public capacity he is well protected. Greater protection is not required. It is very desirable that the official or public character of any person howsoever highly placed he may be must be allowed to be referred to in the exercise of interpellation. I submit that the second part is intended to protect those persons who are already protected by part (1). With these words I move this motion.

**Sardar Dasaundha Singh** (Deputy Speaker) : This restriction is in perfect accord with the Parliamentary practice. In Parliament the character or conduct of certain persons cannot be allowed to be challenged by a question, because there is another more convenient method of challenging the conduct or character of certain persons in authority. The reason is obvious. It is a grave and serious matter when the character or conduct of a person in authority is challenged. The substantive motion is the only way in which the opinion of the House can be recorded. In a matter which is so serious, it is necessary that the House should record its opinion. On a question the opinion of the House cannot be recorded. Nor can the character or conduct of a person in authority be allowed to be challenged even on an adjournment motion because even there the opinion of the House is not recorded. A question is not the way in which such a serious matter may be allowed to be raised. In this matter it is not the persons in authority only who are thus protected, but you will find by analogy that the honourable members of the House also will come under this provision. In Parliament in this connection among the persons in authority the members of both the Houses are included.

You will see that this restriction is taken bodily from *Campion* page 180, sub-head (36). You will also find the same thing given in *May* at page 243. This is a wholesome restriction. I would like to submit to the honourable members here that these restrictions are not meant to unduly restrict the privilege of putting questions. These restrictions are rather meant to prevent the abuse of that privilege, all these restrictions are based upon the rulings of experienced speakers. When the necessity arose to hold that the privilege of putting questions was being abused or wrongly used or an improper use of it was being made, then it was considered necessary to place certain restrictions on that privilege. This is one of those necessary

[S. DASAUNDHA SINGH.]

restrictions which are of great help in the business of the House. With these words I oppose this amendment.

**Mr. Speaker :** The question is—

That in sub-rule (9), lines 3—5, the words “nor the .....substantive motion” be deleted.

*The motion was lost.*

**Sardar Hari Singh** (Kangra and Northern Hoshiarpur, Sikh, Rural) :  
I move—

That sub-rule (13) be omitted.

If you read sub-rule (13), Mr. Speaker, you will see that it is quite a new innovation. It does not find a place either in the draft rules of other provinces or in the House of Commons Rules of Procedure and Standing Orders. If this sub-rule is allowed to stand it sometimes will raise very awkward situations for the speaker. How will the Speaker be in a position to decide whether a certain question involves too long an answer or not? It will be a very difficult thing. For instance, a member may put a question say to the effect, “what steps does the Government propose to take to root out corruption?” The answer to this may be a few lines or may cover several pages. How is the Speaker to decide before-hand whether it involves only a few lines or some pages? Take again the question, “what scheme has the Government formulated for the removal of illiteracy?” The answer may take a few lines or it may take a whole volume. The members have a right to ask questions for the declaration of ministerial programme and it is the only way in which they can have information on ministerial policy and programme. There is no other manner in which we can foresee the programme of the ministers. I should like the sponsors of this innovation to satisfy me on these two points. Will they please give instances as to the kind of questions they would like to bring under this category? Will they also give instances of matters for dealing with which the rules provide more convenient method, as is put down in this rule? I again submit that this is an innovation which is not to be found in the written rules of procedure anywhere in the world.

**Mr. Speaker :** Rule under consideration, amendment moved is—

That sub-rule (13) be omitted.

**Sardar Dasaundha Singh** (Deputy Speaker) : Sir, the first part of this rule is taken from Campion page 128—raising questions of policy too long to be dealt with within the limits of an answer to a question. Such questions are not allowed. So far as the second part of it is concerned, it is again taken from Campion, page 130. It is stated there ‘The following questions are out of order as raising questions for dealing with which the rules provide a more convenient method.’ Further on it is given, ‘questions reflecting on the conduct of certain persons whose conduct may only be challenged by a substantive motion.’ Then there is reference to debates or answers to questions of the current session. These two parts of the restriction fall under two different categories. The first is based on the ground of inconvenience. It is very inconvenient indeed to answer a question which requires a very lengthy answer, and it is to be ruled out on that ground. So far as the second part of the restriction is concerned, it is based on another

principle, viz., that when a more convenient method of raising the same matter is provided in the rules, that matter should not be allowed to be raised by means of a question. With these words I oppose the amendment.

**Lala Duni Chand** (Ambala and Simla, General, Rural) : I feel that one right of the House after another is being taken away by sheer force of numbers. I realise it. All the same I do feel the necessity of pointing out how the rights of the House are being taken away. Sub-rule (19) provides that if the question embraces a matter of policy the question will not be permissible. We know it that for answering a question there is limited space of time. The question is to be answered within a minute or so. We also know that you have got the right to see that questions are not converted into debate. With all these safeguards, where is the necessity of providing a clause that a question involving a matter of policy should not be allowed? Whether the question of policy is small or big, it has to be finished within a short space of time. How does the Government suffer thereby? On the other hand this rule will give a handle to the Government to rule out many questions on the plea that they involve questions of policy. I am putting it to the honourable members of the Treasury benches to consider this question in a spirit of fairness. If this rule is not there they will not suffer in any way. Questions of policy after all can be answered cursorily in the course of a minute or so. On the other hand a very valuable right of this House is being taken away. I know that Campion and May are being quoted *ad nauseum* in this House. So far as such quotations are concerned, it is a very easy to quote them. So far as the judge-made law is concerned, you may find any kind of authority in support of any proposition which you want to propound. But the question is whether such rules exist anywhere else. I do appeal to the Government to accept this amendment.

**Mir Maqbool Mahmood** (Parliamentary Secretary) : I am surprised at the speech of my honourable friend who has just sat down. I am sure he will endorse the fact that we have all been aiming all along to establish in this House as far as possible the conventions established in the Parliament. This is as it should be but to-day we find that certain specified items have been taken bodily for our rules from the parliamentary practice and procedure, and my honourable friend gets up and says that we are quoting parliamentary conventions *ad nauseum*. I am sure that in his less disturbed moments, he would not like to associate himself with this statement.

Now with regard to the context of the amendment and the rule under consideration, I would submit that even though this rule had not been specifically incorporated in our rule in the past, you have always, on the basis of Parliamentary Practice, disallowed and rightly disallowed questions which raised matters of policy and which could not be dealt with conveniently in the shape of an answer. What we have done in the Rules Committee is to provide a specific rule, to that effect so that there should be no misunderstanding, and instead of referring to Parliamentary convention we have a specific rule now to which we can allude.

**Lala Duni Chand** : All this will be undone when the time comes.

**Mir Maqbool Mahmood** : My friend says that all this will be undone when the time comes. I can assure him that God willing when the electorates outside appreciate our services and notice the obstructionist tactics on the other side, the occasion for undoing all this will never arise.

[Mir Maqbool Mahmood.]

The questions give a right to ascertain information on certain definite and specific matters, but where questions of policy are involved, there are other methods open to the House such as on the voting of supplies or on a specific motion by which questions of policy can be raised. I submit that it is not only unfair to the House, but it is also unfair to the discussion of the problems involved, if we were allowed to raise indirectly the questions of policy during question time. I am sure that honourable members will appreciate that one hour allotted for questions is a valuable right provided it is properly exercised. But we begin to waste this time on indirect questions of policy and a lengthened debate on supplementary questions, I think, the object of this valuable right will be defeated. Moreover when rules provide a more convenient and suitable method, for raising matters of policy where is the special logic in insisting on further waste of time for such matters during question time? With these words I oppose the amendment that has been moved.

**Munshi Hari Lal** (South-Western Towns, General, Urban): Sir, I am surprised to see that a reference has been made to Campion and May by the honourable member who has just sat down. But not a single line has been quoted by him bearing upon this sub-rule. Campion and May do not lay down these rules at all. Nearer at home in the rules prevalent in the central legislature, which has been in existence for so many years past, we do not find any such thing as is laid down in this rule. The clause, as it stands, appears to be quite vague, and indefinite. What do the words "too large" mean and what do the words "more convenient method" mean? Does the honourable member, by 'more convenient method' mean by a resolution? I have found that a resolution is not at all a convenient method for criticising the policy of the Government. If we want to send in a resolution, we should have at first the luck of that resolution being favoured by the ballot. The resolution can come up only on the day which is meant for other than Government business and even then it may not come up for discussion, at all because of other resolutions which may have secured an earlier place as a result of the ballot.

During the short experience which the Opposition has got, I am sorry to say that the resolutions of the Opposition—and I rightly say, I do not blame anybody for it—we have seen that they are very seldom discussed. So, a resolution is not at all a more convenient method. If the idea is that it should be discussed at the time of budget, then it means that we have to wait for a year, until that time comes. We have thus got no opportunity to criticise the policy of the Government, however urgent it may be.

Then, Sir, it may be said that there is the method of adjournment motions. If this is a convenient method to the mind of the honourable member on the other side, let me disabuse him. We have never considered an adjournment motion as a convenient method, because it is hedged round by so many restrictions and limitations that the value of adjournment motions is almost nil. It is very seldom that an adjournment motion is taken up. Very often it is ruled out. It has first to command the consent of the Honourable Speaker and it is then to be supported by 40 members under the rules under discussion and by 30 members under the rules in force to-day.

It must command the consent of 30 members at least and then it must be subject to the limitations which are laid down in the rules. My submission is that Campion and May should not be quoted and acted upon. It is a matter of great surprise for me to see—though I know that in *mufassil* we lawyers suffer from the paroxysm of citation but it is also strange to see that statesmen, in whose hands the destiny of the province lies should instead of laying down their own rules and carving out new paths, so often appeal to the authorities of Campion and May. Let me tell them that the circumstances and conditions that prevail in England do not prevail in this country. The atmosphere in England is not the same as it is in this country far less political atmosphere. The two countries are situated in different longitudes. The watches in the two countries do not keep the same time. In politics there is no similarity at all. They in England are far advanced. Rules which are embodied in May and Campion are the growth of centuries and they do not apply in view of the conditions of our province. There should be more opportunities allowed to the members to criticise the policy. Questions of policy should be brought up in this Assembly with a view to see to the removal of the grievances that exist in this province. Here in this province there is a canker of communalism. There is a craze for the creation of water-tight compartments between urban and rural. There is the question of protection of the minorities. These things do not exist in England at all. These differences unfortunately exist in India and there are stern realities which have come into existence by power, over which we have got no control and by circumstances beyond our reach. I submit that in a province where these things exist, we should rather see that they ought to be removed and this should be brought to the notice of honourable members on the Government benches. I submit that this rule, as it stands is vague and indefinite and is not certain. No convenient method has been pointed out to us with respect to criticising the policy. The words "too large a policy" are so vague that an ordinary member will not be able to decide whether the question which he is putting in this House contains a policy too large or not. With these words I support the amendment that has been moved by the honourable member on this side of the House.

**Diwan Chaman Lall** (East Punjab, Non-Union Labour): Sir, there has been a great deal of confusion regarding the interpretation of this significant rule. If any person is to be blamed for it, I am sorry to say, it is the Deputy Speaker who set the ball rolling in regard to this confusion.

The rule states only two things, one that no question which involves any matter of large policy can be put and the other that the subject-matter of the question should be such as could be conveniently dealt with under the rules. When my learned friend quoted Campion pages 128 to 130, he also quoted May's Parliamentary Practice, page 241. He is perfectly correct when he says that a similar rule does exist in the House of Commons. It is immaterial whether that rule is a ruling from the Chair or it has the force of a standing order; anyhow the rule does exist. But the implication of the rule—and that is where my honourable friend Mir Maqbool Mahmood went wrong—is strictly confined. If my learned friend will refer to page 271 of May's Parliamentary Practice, he will find that a list is given of the subjects which cannot come within the

4 P.M.

[Diwan Chaman Lal.]

purview of questions. That list has got nothing to do with any list that we might have here. The relevant portion runs like this :—

"Certain matter cannot be debated, save upon a substantive motion which can be dealt with by amendment or by the distinct vote of the House. Among these may be mentioned the conduct of the sovereign, the heir to the throne, the Viceroy and Governor General of India, the Lord Lieutenant of Ireland, the Governors-General of the Dominions, the Lord Chancellor, the Speaker, the Chairman of ways and means, members of either house of Parliament and judges of the superior courts of the United Kingdom, including persons holding the position of a judge, such as a judge in a court of bankruptcy and of a county court. These matters cannot, therefore, be questioned by way of amendment, or upon a motion for adjournment under Standing Order No. 10."

These are the particular types of questions which cannot be asked. Matters relating to these subjects cannot be raised by means of interrogations. When my learned friend talks about large policy he must confine himself to this particular list of subjects on which questions cannot be asked on the floor of the House. Now I come to the second point regarding policy. The only objection that I can see in the interpretation as correctly given by the official spokesman is that the answer may be either relevant to a matter of grave public interest or it may be of excessive length or in other words too long for the purposes of being given on the floor of the House—these are the only two objections as far as I can see. I would like to make it perfectly clear to the House, Mr. Speaker, that we are not in a similar position as Great Britain as far as matters of high policy are concerned. There a question of peace or war may mean the destiny of the whole nation, may jeopardize the peace of millions of people. I can quite well understand what the state of affairs would be if questions involving matters of large policy are addressed to Ministers in the House of Commons, but questions as to whether a statement made by a Minister represents the policy of the Government can always be put in the House of Commons. My learned friend, the Deputy Speaker quoted from May, page 240 which states 'a question as to whether a statement made by a Cabinet minister represents the policy of the Government is in order.' It may be large or small policy but the Government can always be questioned whether a particular state of affairs represents the policy of the Government and I take it that this rule will not prohibit us from asking questions to that effect. Of course, I admit that there are certain matters which should only be raised by means of a substantive motion. For instance, a matter questioning the authority of the Speaker which would really amount to a no-confidence motion against the Speaker or matters of similar nature brought forward against a particular Minister or the ministry as a whole which in their nature are no-confidence motions, can only come up by substantive motions and not by means of questions. Therefore, let not the House be misled into believing that this particular restriction means anything more than what I have said and that it is of a general character to prevent us from putting questions which may be of great moment to the destiny of this province.

**Minister for Finance** (The Honourable Mr. Manohar Lal): Sir, I perfectly agree that some of the discussion on this particular motion has caused considerable confusion. The honourable member who has just sat down, gave himself, if I may say so, the largest latitude in the matter of

confusing the issue. There is no doubt whatsoever as to what the Parliamentary practice is if one would only bear in mind two things, firstly, matters which can only be discussed by means of substantive motions and secondly, matters on which questions would be permissible. My honourable friend read from May's Parliamentary Practice page 271, and in doing so he might have made plain to the House, that the passage there dealt only with subjects that can be dealt with by substantive motions, and there reference was made to the sovereign or to the heir apparent, to judges or to the Speaker. Our rule has already provided for this kind of motion. It has nothing whatsoever to do with the legitimate scope of a question. Then, Sir, you will find at page 240 of May's Book reference to which, I believe, has already been made by the Deputy Speaker, that there is no mention of any matter of large policy, none of those high imperial problems where an expression of opinion one way or the other by a Minister might jeopardize the peace of a country; nothing of the kind. The words are perfectly plain, viz., 'within these lines an explanation can be sought regarding the intentions of the Government but not an expression of their opinion upon matters of policy.' It is laid down and very correctly too, that a question does not furnish an adequate or proper occasion for the Government to state its policy. In an answer one could attempt only a brief and inadequate statement of policy and this would be undesirable. It would neither be fair to Government nor to the House to enforce such answers. The matter is placed beyond all possibility of doubt in the small book of Mr. Campion, the gentleman who has now risen in the House of Commons to the position which Erskine May occupied at one time. Why read things into these simple matters which are not there at all? Why try to effect through the machinery of a humble thing like a question—an object which a question cannot bear? It is said why worry about the Parliamentary practice; because watches here and watches in England do not keep the same time. I do not know much about the watches nor is the analogy safe. But it is perfectly clear that a practice which has been observed by you during all these many years, which has further the sanction of an established Parliamentary practice—

**Lala Duni Chand :** Have the people in those countries the same grievances that we have?

**Minister for Finance :** What grievances have you in the Punjab? Must all the rules of practice and procedure be thrown to the winds merely because grievances here may be of a different type from grievances elsewhere? I have no desire to be interrupted. I was submitting that here we have a practice that, I take it, is by now safely established in our legislative chamber. We have the sanction for it, the highest sanction for it, in established parliamentary practice. I see no reason why we should to-day vary our existing practice. I trust the House will not support the amendment by way of deletion of this very healthy and sanitary rule, i.e., sub-clause (13) of this particular rule that is here proposed. (*Voices : Question be now put.*)

**Sardar Hari Singh :** There are certain points in my speech which have not been met by any speaker on the other side of the House. I asked

[Sardar Hari Singh.]

two questions from the sponsors of this new innovation, firstly, as to the instances of questions which would be ruled out on the score that they are questions to which answers will be too large, and secondly, the questions which would be covered by the second category, namely, matters for dealing with which the rules provide a more convenient method. We must be logical. We must incorporate all the rules of the House of Commons as regards adjournment motions, as regards the convention prevailing in the House of Commons, etc. Until we have got all the facilities which are given by the safeguards, which are given to the minorities in the House of Commons, we cannot agree to have an amendment which will be further putting restriction on the rights of this side of the House to such information about certain matters through interpellations. Our friends opposite are agreeable to the establishment of a convention that if the Leader of the Opposition gets up and asks for debate on a censure motion on any subject, they will agree. If not we cannot agree to have this amendment here.

My honourable friend, Diwan Chaman Lall, referred to page 271 of May's Parliamentary Practice. According to May's Parliamentary Practice the only limit to the asking of questions is that no questions can be asked on matters which are to be dealt with on a substantive motion only.

My second submission was that in the absence of a declaration to be made by the ministers as regards their programme for the ensuing year, which is made in the House of Commons in the King's address, we have no other way to know the ministers' policy and programme. So, if this thing is incorporated in our rules, it will be to our advantage.

**Mr. Speaker :** The question is—

That sub-rule (13) be omitted.

*The motion was lost.*

**Lala Duni Chand** (Ambala and Simla, General, Rural) : I move—

That sub-rule (14) be omitted.

Sir, it is the last halter that the Unionist benches want to put around our necks. We are doing our best to get rid of as many shackles as we can though we have not succeeded and we are not going to succeed in getting rid of even a single shackle. A few minutes ago Mir Maqbool Mahmood pointed out that the right of putting questions is a very valuable right. I entirely agree with him. At the same time I submit that this valuable right is being rendered valueless. All these restrictions that are being imposed are intended to take away the utility and value of that right. A good deal has been said about May and Campion already. Three or four learned gentlemen, including the Honourable Mr. Manohar Lal, have disagreed on that. Mr. Chaman Lall, a very eminent authority on constitutional law, interprets it in one way and Mir Maqbool Mahmood an equally eminent authority on the subject, interprets in another way. Why quote Campion or May? In our Honourable Speaker we have the greatest authority on May and Campion. He can almost reproduce from memory anything that he wants. We have elected him for the next four years. He is there, I think, to help you so far as Campion and May are concerned. Why should you

incorporate so many things from May and Campion? It is really an excuse and we want to show that it is a mere excuse. Our Speaker is the best custodian of the rights of the House and he can always help us in interpreting the constitutional law as it stands. Therefore, there is no necessity of making a rule in that shape. It is very often said that we put too many questions and we take too much time of the House. I say the grievances of the people of the Punjab are so many and so varied that, we honestly believe, for no action being taken to redress those grievances, the Unionist Government can be impeached everyday.

**Mr. Speaker :** Will the honourable member please speak to the motion?

**Lala Duni Chand :** Sir, I will speak to the motion. I know that the subject matter of this sub-rule has been already discussed to a great extent. I do not want to say much about it except that I want to deal with the general aspect of the question, namely, whether the right of interpellation is being taken away or not. I submit that this is the last hope, though it is hoping against hope, that this sub-rule (14) being unnecessary, will be deleted. I would say once again that in view of the above parts of the rules that have already been enacted, this sub-rule seems to be quite unnecessary. Therefore, I move that this sub-rule be deleted.

**Mr. Speaker :** I am constrained to hold that the honourable member's amendment is out of order. When rule 19 was under discussion, a similar amendment, was moved and turned down. So, the present amendment, as moved is, out of order.

**Lala Duni Chand :** I accept your ruling.

**Dr. Gopi Chand Bhargava :** Sir, when rule 19 has been passed by the House, I submit this clause becomes superfluous.

**Diwan Chaman Lall :** This particular amendment relates to rule No. 20. I feel that it is a little different because it relates to another rule. It says—

“ It must not amount in substance to a suggestion.”

**Mr. Speaker :** The reason why I have ruled it out of order is that when a motion is made and turned down by the House, the same matter cannot be moved in another form.

**Diwan Chaman Lall :** Am I in order, Mr. Speaker? This amendment is moved, as I take it, for the omission of this clause, and the omission of the clause means not only the omission of the amendment which has already been debated on but of something else as well. If this discussion is ruled out of order then not only the discussion regarding the amendment, which is already ruled out of order, as it should be according to your ruling shall be ruled out but also discussion regarding something else which was never before the House. That is the difficulty.

**Mr. Speaker :** Instead of moving a complete deletion of the rule, it was open to the members of the Opposition to so amend the rule that there should have been no conflict with the amendment previously moved and lost. As deletion of the whole rule is proposed I am afraid I cannot allow any verbal amendments.

**Diwan Chaman Lall :** Sub-clause (14) says—

It must not amount in substance to a suggestion for any particular action but it may ask for a statement of the intentions of Government in respect of a matter on which a question may be asked.

May I make a suggestion—your ruling is correct and we will abide by it—but that you may allow a little time to discuss the second portion of the amendment about the intentions of Government in respect of matters on which a question may be asked so that the honourable member may be able to say what he wants to in regard to the second portion.

**Mr. Speaker :** I entirely agree with the honourable member. That is exactly my view. Had Lala Duni Chand or any other honourable member, instead of moving a complete deletion, moved omission of the words 'it must not amount in substance to a suggestion for any particular action,' then, it would have been quite in order.

**Diwan Chaman Lall :** The difficulty is that we wanted to draw your attention to the absurdity of the rule. One cannot put a question to a Minister "will he stop eating bhang" but we can ask "Has he decided that in future he will not eat bhang." (*Laughter*).

**Mr. Speaker :** The question is—

That rule 20 as amended be adopted.

*The motion was carried.*

#### Rule 21.

**Lala Duni Chand :** Sir, I move—

That in sub-rule (1), at the end, the words 'or re-admit the question disallowed on being satisfied by the member putting the question' be added.

**Mr. Speaker :** Is it not the inherent power of the Speaker to admit a question on reconsideration?

(*Voices : Withdraw, withdraw.*)

**Lala Duni Chand :** May I point out the object which I have in view. Certain safeguards are already provided. I do not deny that the Speaker has got the inherent power to re-admit any question that has been disallowed. My point is to make a rule to the effect that every member of the House who puts a question which is disallowed, should have a right to represent to you that the question may be allowed.

**Mr. Speaker :** That is already being done.

**Lala Duni Chand :** Once a question is disallowed, the right should be given to the member, after the question is disallowed, to represent to the Speaker. This will be an additional safeguard not covered by what has already been provided for.

**Mr. Speaker :** The Speaker of the House has the right to say that a certain question which has been entered in the list of questions be removed from the list. Therefore it appears to be unnecessary that the Speaker should be expressly given the power to re-admit a question once disallowed by him.

**Lala Duni Chand :** The point in my mind is that sometimes questions are disallowed by the Speaker and for the best of reasons according to him. But the member feels that if a representation is made to the Speaker he might reconsider it. It is with that object in view that I want that there should be a specific rule. I do know that whenever any representation is made to you it will be considered, I also know that you in your inherent capacity will sometimes rectify the wrong. But I do want a specific rule to be added to the effect that if any member after the question is disallowed chooses to make a representation to you, you may kindly consider that representation and decide whether the question disallowed can be re-admitted. With these words I want to move this motion.

**Mr. Speaker :** Amendment moved is—

That in sub-rule (1), at the end, the words 'or re-admit the question disallowed on being satisfied by the member putting the question' be added.

**Mian Abdul Aziz** (Outer Lahore, Muhammadan, Urban) : Sir, the rule as it is framed is liable to misinterpretation. You know that sometimes technical objections are taken, and you will be pleased to note also that at the end of this rule 21 (1) the words are : "in contravention of the rules, provided that he may, in his discretion, amend it in form or give the member concerned an opportunity of amending it." Supposing you have been pleased to give an opportunity to the member to amend the question. He may, but supposing the question as originally submitted is a correct one and you may have been pleased to disallow it, but the member is prepared to convince you that it is right and you may kindly reconsider the matter. Therefore my honourable friend is trying to submit his reasons that this should be inserted.

Another thing is that I think the Ministerial benches are not raising any real objections to this amendment (*A voice : Question*). I thank you very much for questioning me, but I may submit that I am prepared to put them this question, are they opposing this sincerely? (*A voice : Yes*). Or is it only for the sake of raising an objection and because this amendment has been put from the Opposition benches?

The principle we shall consider when we come to it, but I want to know what the principles are. Sometimes a principle suits a purpose, on another question it is entirely reversed. Stick to one principle and act always on that principle. I am submitting through you that at this stage as a matter of fact it seems to me that there is no real objection which can be raised by the Ministerial benches to this amendment. There is a serious misapprehension in the mind of the Opposition that in case a question is disallowed by you and the member convinces you by reasons that the question should be allowed, whether you will permit it or not. With these remarks I submit that I think this amendment ought to be allowed.

**Mir Maqbool Mahmood** (Parliamentary Secretary) : I am very sorry that it is my duty to cross swords on this question with my venerable and revered friends, Mian Abdul Aziz and the mover of the amendment. I am afraid there is some misunderstanding with regard to the purpose of the clause as drafted and the amendment that has been moved. My honourable friends suggest that if the Honourable the Speaker does not amend a question or if he does not give the members the right of amending it, it should be

[Mir Maqbool Mahmood.]

free to re-admit the question if he is convinced that it is in order. I submit that even if the amendment were accepted, it will not in any way interfere with the actual practice in vogue. The matter will still remain in the discretion of the Speaker. If my honourable friends would carefully look at the rule as drafted, they will find that the rule does not say that the Speaker 'shall' amend the question. It says that the Speaker 'may amend it in form or give the member concerned an opportunity of amending it.' The rule does not seek to exhaust the various alternatives which you can choose. Moreover the House would remember that in this very session, certain resolutions which had been rejected once as out of order were admitted by you and in certain cases even without a formal representation. It is therefore the reverse of gratitude and fairplay for my honourable friends to bring forward this sort of an amendment. My friend Mian Abdul Aziz says that the Unionist benches are not going to oppose the amendment. With regard to his prophetic statement I can only say what Lord Balfour once said : that when an honourable member begins to speak as a prophet, you cannot argue with him, you can only ignore him.

I think the main question is clear, it is whether the Speaker has acted or has not acted in a manner that it is necessary for us to tie down his hands in regard to this item. I am sure that on that question all sections of the House will agree that on merits there is no necessity for such an amendment.

The second question, is to consider whether in this clause we are exhausting all the courses open to the Speaker? I am sure that on that point my learned friends, astute lawyers as they are, will agree that the words of the clause are not exhaustive. They only suggest two of the various alternatives open to the Speaker, and it was found necessary to draft the clause in this form to state clearly the latitude permissible in amending questions. I am sure in the light of this statement my honourable friends will not find it necessary to press the amendment.

**Diwan Chaman Lall** (East Punjab, Non-Union Labour) : My friend Mian Abdul Aziz was perfectly correct when he said that the Treasury benches were opposing this amendment simply for the sake of opposition, and my friend's entire speech has been nothing else but simply for the sake of making a speech on an occasion which did not warrant it. What is it that my honourable friend wants? He is not tying down the hands of the Speaker. No one wants it. As I stated, to begin with a great deal of confusion exist in the minds of honourable members opposite and they seem merely to be speaking for the sake of speaking. They have not studied the point, they do not know what the issues involved are, in fact they do not know what they are talking about. The present rule says : "The Speaker shall decide on the admissibility of a question, and disallow any question when in his opinion it is in contravention of the rules, provided that he may, in his discretion, amend it in form or give the member concerned an opportunity of amending it." The thing that my learned friend is wanting to do and which my honourable friend Mian Abdul Aziz is supporting is that at the end of this should be added : "or re-admit the question allowed on being satisfied by the member putting the question." The point is not the one my honourable friend Mir Maqbool Mahmood has stated on the floor of

this House. It is a point which may have reference to the time of the notice being given. Suppose a question has been sent in and by some inadvertence of some clerk in the office it has been held not to be admissible and if the honourable member goes to the Speaker or to the person concerned and satisfies him that within the rule the question ought to have been admitted, the question arises whether the Speaker should re-admit that question on that basis. In any case it does not tie the hands of the Speaker. It makes the position clear.

Why should my honourable friend desire to tie down the honourable member to just the two discretionary powers given to the Speaker? Why not give a third discretionary power? This is not tightening the procedure but exercising the discretion of the Speaker in a wider sense than is permissible under the proposed rule.

**Malik Barkat Ali** (Eastern Towns, Muhammadan, Urban): I understand that it is conceded that it is open to the Speaker, after he has disallowed a question, to re-admit it in its integrity. If that is conceded, and it will not be challenged that the Speaker's discretion is very wide on this point—he has power even after he has disallowed a question, to re-admit it in its integrity—I fail to understand why this amendment should not be accepted. The object of this amendment, as I understand, is to make a doubtful matter perfectly clear. If this rule 21 stands in its present form, it may well be objected that the authority of the Speaker is confined only to disallowing a question or entertaining it in an amended form. The question of admitting it in its original integrity after it has been disallowed by him may perhaps be argued as not coming within the scope of rule 21. You were pleased to make it clear that this is the existing practice. Even at the present moment, when questions are submitted to you and you disallow a particular question, it is open to members to approach you, to represent to you that the question is admissible and it is open to you to reconsider your decision and to allow that question. If this is being done in practice today, this amendment seeks only a statutory recognition of that practice. It is not fettering down your discretion. It is not curtailing down your inherent power. It only makes clear what is already in practice. It is only giving statutory recognition to a part of your inherent powers.

**Sardar Dasaundha Singh** (Deputy Speaker): I would like to add one word. There is a rule with regard to notice of questions. Rule 22 says—

All questions which have not been disallowed shall be entered in the list of questions for a day not earlier than fifteen clear days from the date on which notice was received by the Secretary :

Provided that—

- (1) the Speaker may, with the consent of the Minister concerned, allow question to be asked at shorter notice.

Now if there is no time left, if fifteen clear days are not left, then it would not be within the Speaker's discretion to admit that question. That will be the difficulty if this amendment were allowed.

**Munshi Hari Lal** (South Western Towns, General, Urban): I submit that from the lawyer's point of view and according to all rules of interpretation which are laid down in the various High Court rulings, this proviso

[Munshi Hari Lal.]

appears to be restrictive. The question is this. First of all there is an unfettered power given to the Speaker to admit a question. As soon as he has decided that the question is not admissible in the form in which it is sent, he may in his discretion admit it under two conditions and those two conditions are laid down in the proviso. The proviso in a way restricts the power of the Speaker. Without it we would be better off and the inherent power of the Speaker would be of advantage to the House. Under the proviso the Speaker has to see whether the question is amended and is in form as to come within the purview of this rule or not. According to amendment we can request the Speaker and satisfy him that the question should be readmitted in its integrity. So far as the main rule is concerned I have nothing to say. But the proviso added to it creates doubt and it restricts the power of the Speaker. If the honourable members on the other side want to remove this doubt and uncertainty, I submit there should be no hindrance and no obstacle in their way to accept the amendment that has been proposed. They agree with the spirit of the amendment, they say that in actual practice that will be the spirit observed, but when the amendment comes in definite words, I am surprised that it is being opposed for the sake of opposition. I hope power does not always rest with them. It is just possible tomorrow they might move to this side and then they may feel the necessity of such an amendment. Under the amendment the honourable Speaker may re-admit the question when he is satisfied otherwise as to the admissibility of the question.

**Raja Ghazanfar Ali Khan** (Parliamentary Secretary): I am surprised at the last speaker bringing in the question of our having to walk over to the other side and their coming to this side, because so far as the Speaker and his discretion are concerned, I think it is absolutely immaterial whether a member is sitting on the Government benches or on the opposite benches and particularly you, Sir, so far as our experience goes, have never made that distinction. (*Hear, hear*). There is little doubt in my mind after hearing this debate about this point. This is a very very small point. An attempt is being made to bring in the rules a provision that a member may have the right to represent to the Speaker after he has disallowed a question, that his question might be re-admitted. I would like to know what would be the position if this amendment is accepted, whether the member will be entitled to raise debate on the point on the floor of the House or not. I personally think that if this is allowed in the rules, then the next question will arise as to whether a member is not entitled to argue with the Speaker on the floor of the House regarding the desirability of his questions being admitted. If it is only a question of discussing with the Speaker in his room, it can be done even under the present rules. They have been doing it and there is nothing to prevent them from doing the same in the future. A question is generally turned down for one of two grounds, on the question of admissibility under the rules or with regard to its form. If on the first ground, no persuasion of any member will succeed in making the Speaker change his views. If it is on the second ground, that is the form, I am sure that the powers which have already been given to the Speaker to make slight alterations in form so as to make the question admissible, will be exercised by him. After this assurance I do not see any reason why

honourable members opposite insist that even so far as the exercise of the discretion by the Speaker is concerned, it should be fettered by bringing in such a provision in the rules. I personally am perfectly satisfied and I am sure honourable members of this House will agree with me that we should not tie down the hands of the Speaker on every small matter. They should not carry their suspicions to such a length. To try to bring under rules that a member should be entitled to represent to the Speaker at every time and argue with him that his question should be re-admitted would look preposterous. I strongly oppose the amendment and I appeal to the member who moved it to consider whether after hearing this debate it is worthwhile to press his amendment, when by experience he has already seen that the Speaker always exercises his discretion in a most justifiable way.

**Mr. Speaker :** The question is—

That in sub-rule (1), at the end the words "or re-admit the question disallowed on being satisfied by the member putting the question" be added.

*The motion was lost.*

**Khawaja Ghulam Samad** (Southern Towns, Muhammadan, Urban),  
(Urdu) : Sir, I beg to move—

That the following new sub-rule be added :—

"(3) The Speaker shall give reasons for disallowing any question out of a set of questions for information and further guidance of the member putting the questions".

I submit that my amendment resembles to some extent the amendment moved by my honourable friend, Lala Duni Chand. The object underlying the amendment of my honourable friend, Lala Duni Chand, is, that in case a question of an honourable member is disallowed he should be permitted to request the Speaker that the said question may be reconsidered for reasons to be given by the honourable member and on being satisfied the Speaker should re-admit the question already disallowed.

I submit that the object of the amendment I have just moved is, that the Speaker should give reasons for disallowing any question out of a set of questions for information and further guidance of the member putting the question. In other words, when an honourable member gives notice of a set of questions regarding a particular matter, and if any of his questions is disallowed the Speaker should assign reasons for disallowing it. If most of the questions given notice of by a member have been disallowed the Speaker should give reasons for disallowing each of them. He should not at all treat the set of questions as a whole and give general reasons for disallowing the whole set. I shall explain my point by giving an instance. I gave notice of 19 questions pertaining to Mr. Askwith's Report regarding the Panipat incident. Out of them 18 questions were disallowed and only one was admitted which referred to the misconduct of an officer. What I am urging is that those 18 disallowed questions should not be considered as a single set but should be treated as separate questions and reasons should be given separately for the disallowance of each of them. In fact those 18 questions were quite different questions referring to distinct aspect of a particular incident. I further submit that when a question is disallowed the relevant rules should be quoted for its disallowance. If this is done

[**Khawaja Ghulam Samad.**]

the honourable member concerned would know the reasons for its inadmissibility and would thus be satisfied. It is for this sole object that I have moved this amendment.

I would further like to point out that in the present session brief reasons have been given for disallowing questions in certain cases though even this much was not done in the previous two sessions. I would submit that the honourable members put questions in order to obtain information on particular matters of public concern. They are here as the representatives of their constituents. They have before them a particular mission to perform and when they ask questions about their constituencies or some other matter of public concern they should be given complete and correct information and if perchance their questions are disallowed, proper and adequate reasons should be given for their disallowance. I would, therefore, like to emphasise the point that separate reasons should be given for the disallowance of each question stating also the rules under which it has been disallowed.

**Mr. Speaker :** Rule under consideration, amendment moved is—

“That the following new sub-rule be added :—

“(3) The Speaker shall give reasons for disallowing any question out of a set of questions for information and further guidance of the member putting the questions”.

**Premier** (The Honourable Major Sir Sikander Hyat-Khan): Sir, If I have understood my honourable friend correctly, what he actually desires is that when a question is disallowed, chapter and verse should be quoted as to why it has been disallowed. (*A voice* : He is a member of your party). A member of my party has every right to amend standing orders because these standing orders will go to posterity. If this is the object of my honourable friend, I think that if he will read sub-clause (2) of clause 21, he will find that his object has been fully achieved. It says—

“The Secretary shall give intimation to the member that his question has been admitted or admitted as amended or disallowed for any specified reason, as the case may be”.

It means that when a question is disallowed the Secretary will be bound to inform the member that it has been disallowed for any specified reason. I have got the fullest sympathy for my honourable friend opposite that he should be in a position to know why his questions have been disallowed, so that if he wants to make a representation to the Speaker, he should be in a position to do so. But I wish to point out to my honourable friend opposite that this object has already been achieved by sub-clause (2) of clause 21.

**Khawaja Ghulam Samad (Urdu)**: The Honourable Leader of the House has drawn attention to sub-clause (2) of rule 21. There is no doubt that it is stated therein that “the Secretary shall give intimation to the member that his question has been admitted or admitted as amended or disallowed for any specific reason as the case may be.” The amendment I have moved aims at something else. I have already explained my point by giving an instance. I would like to repeat it again. I gave notice of 19 questions pertaining to Mr. Askwith's Report and I regarded these questions as separate and different from one another. I never thought that that set of questions would be treated as a single question. But as a matter of fact those 19

questions have been treated as one question. Out of them 18 questions were disallowed and only one was admitted which referred to the misconduct of an officer. If the Secretary, as has been pointed out by the Honourable Leader of the House, shall give reasons for the disallowance of each question separately, my purpose would be served. I ask whether the Honourable Leader of the House is prepared to give assurance to this effect?

**Premier :** My honourable friend's grievance relates to questions about which he gave notice for the present session when we are governed by the old rules. As a rule has now been provided that in future, reasons will be specified with regard to questions disallowed, I think he will withdraw his amendment.

5 P. M.

*The motion was, by leave, withdrawn.*

**Mr. Speaker :** Question is—

That rule 21 be adopted.

*The motion was carried.*

#### Rule 22.

**Mr. Speaker :** Question is—

That rule 22 be adopted.

*The motion was carried.*

#### Rules 23—28.

**Mir Maqbool Mahmood** (Amritsar, Muhammadan, Rural): I beg to move—

That the following proviso be added at the end of rule 23 :—

“Provided that not more than three starred questions may be placed on the paper by the same member for the same day.”

This clause has been taken from the procedure of the House of Commons.

**Pandit Muni Lal Kalia :** We have not got this amendment. May I know when notice of this motion was given?

**Mr. Speaker :** No doubt, two clear days' notice has not been given. But I have been allowing amendments at a very late stage, provided they are given to me in writing.

**Sardar Hari Singh :** Many members have not got notice of this amendment. Moreover this relates to a very important subject which imposes restrictions on the members of this House. I would suggest that its consideration may be postponed to a later date.

**Mr. Speaker :** Has the honourable member any objection to move it as an independent rule?

**Mir Maqbool Mahmood :** I have no objection.

**Mr. Speaker :** Question is—

That rules 23 to 28 be adopted.

*The motion was carried.*

**Rule 29.**

**Sardar Hari Singh** (Kangra and Northern Hoshiarpur, Sikh, Rural) :  
I beg to move—

That in line 5, for the words "authorised by him in writing" the words "on his behalf" be substituted.

The object of this amendment is to continue the *status-quo*. The present practice is the best practice and there seems to be no ground for departing from it. It is also very convenient for the members of this House. For instance, when I want to put a certain question to a certain Minister and another member has given notice of a similar question, I would refrain from putting that question with the idea that when that question comes up, I would elicit further information on the matter on that question. Moreover a member may be unavoidably detained—he may be detained by the constable at the gate; he may be detained while taking part in a demonstration which is banned or he may be detained as was done last summer at Kalka when 60 members of this House were detained because the Viceroy had to pass from Simla to Kalka. So it will be very difficult for the members of this House to elicit information on a matter on which notice of a question has been given by a member who does not happen to turn up in time. With these words I move my amendment.

**Mr. Speaker** : Rule under consideration, amendment moved—

That in line 5, for the words "authorised by him in writing" the words "on his behalf" be substituted.

**Premier** : I am in entire sympathy with the honourable members opposite. Nobody is justified in curtailing the facilities which already exist. I support this amendment.

**Mr. Speaker** : Question is—

That in line 5, for the words "authorised by him in writing" the words "on his behalf" be substituted.

*The motion was carried.*

**Mr. Speaker** : Question is—

That rule 29, as amended, be adopted.

*The motion was carried.*

**Rule 30.**

**Mir Maqbool Mahmood** (Parliamentary Secretary) : I beg to move—

That in lines 2 to 6, for the words "for the purpose of.....table of the Assembly" the following words be substituted :—

"which is necessary for the elucidation of the answer that has been given to a starred question."

**Lala Duni Chand** : But my amendment stands first.

**Mr. Speaker** : The honourable member's amendment will be taken up after Mir Maqbool's amendment is disposed of.

**Mir Maqbool Mahmood** : The purpose of my amendment is clear. It does not call for a long speech. The rule as it now stands limits the right of asking a supplementary question for the purpose of further elucidating any matter of fact regarding which an oral answer has been given. I submit that what is a matter of fact and what is not a matter of fact and to what sort of points the right of supplementary question would apply might

lead to difficulties. It is, therefore, best that we import the wording of the Parliamentary practice which are specific on this point, and they are the words verbatim incorporated in my amendment, which states that the supplementary questions should be asked for the further elucidation of an answer that has been given to a starred question. I have purposely used the words "to a starred question" because with regard to un-starred questions there is no right of supplementary questions on the particular day concerned.

**Mr. Speaker :** Rule under consideration, amendment moved—

That in lines 2 to 6, for the words "for the purpose of ..... table of the Assembly" the following words be substituted :—

"which is necessary for the elucidation of the answer that has been given to a starred question."

**Sardar Hari Singh :** I regret that I cannot support the amendment moved by my honourable friend opposite because the very conception of a supplementary question is that it is to be asked in order to elucidate matters of facts which have been given in answer to another question and if he will turn to the rule itself he will find that it reads as follows :—

"Any member may put a supplementary question for the purpose of further elucidating any matter of fact regarding which an oral answer has been given or laid on the table of the Assembly."

I personally think that the amendment is unnecessary.

**Sardar Dasaundha Singh (Deputy Speaker) :** This amendment is strictly in accordance with parliamentary practice. At page 245 of May's Parliamentary Practice it is given—

"and further questions, without debate or comment, may, within due limits, be addressed to them, which are necessary for the elucidation of the answer that they have given".

The rule, as framed, was not clear on this point. The words "further elucidating any matter of fact regarding which an oral answer has been given" conveys a different meaning. A supplementary question can be put only for the purpose of elucidating the information that has been conveyed in the answer. It cannot be used for obtaining any further information on the subject matter of the question. A supplementary question arises out of the answer given, not out of the question. Thus this amendment clears the misapprehension and it makes the rule absolutely consistent with parliamentary practice.

**Malik Barkat Ali (Eastern Towns, Muhammadan, Urban) :** I rise to support the very lucid amendment of my friend, the honourable member for Amritsar Rural (Muslim). A perusal of the amendment and of rule 30 will make it perfectly clear that under rule 30 the scope of a supplementary question is very much limited. A supplementary question under the proposed rules can only be confined to the elucidation of a matter of fact in the answer. Under the amendment of my learned friend the scope of the supplementary question is the entire answer itself. Therefore, my learned friends on this side will be pleased to appreciate the increased scope of supplementary questions furnished by the amendment of my learned friend, Mir Maqbool Mahmood. The amendment is perfectly in accord with parliamentary practice in England and apart from that, the amendment is valuable, since it widens the scope of supplementary questions and not limits them to mere matters of fact referred to in the answer.

**Mr. Speaker :** The question is—

That in lines 2 to 6, for the words "for the purpose of..... table of the Assembly" the following words be substituted :—

"which is necessary for the elucidation of the answer that has been given to a starred question".

*The motion was carried.*

**Mr. Speaker :** The next amendment of Lala Duni Chand is out of order inasmuch as it goes beyond the scope of the draft rule.

**Khawaja Ghulam Samad** (Southern Towns, Muhammadan, Rural) (Urdu) : Sir, I beg to move—

That the following new sub-rule be added :—

"(2) Every member shall, if possible, be supplied with printed replies to the starred questions one day or one hour before the questions are replied."

Sir, the object of this amendment is that the honourable members may be given the opportunity of preparing supplementary questions before the answers to their questions are given on the floor of the House. It is very difficult for back benchers like myself to put supplementary questions at the spur of the moment because many of us fail to hear and grasp the full meaning of the replies that are given in the House.

In other provinces like Bengal, Bihar and Sind, it is provided in the rules that the members of the legislatures should be supplied with the replies to their questions beforehand and I would request that the same procedure may be adopted here.

With these words I commend my amendment to the House for acceptance.

**Rai Bahadur Mr. Mukand Lal Puri** (Rawalpindi Division, General, Rural) : May I ask members of the Government if it was not an established practice in the Legislative Council to provide members with answers sometime ago? I am sure that the practice of supplying answers to starred questions was observed by the late Legislative Council a few years ago.

**Mr. Speaker :** The honourable member's amendment is out of order. If the honourable member reads rule 30 he will find that in view of what is contained in that rule, his amendment is out of order.

The question is—

That rule 30 as amended be adopted.

*The motion was carried.*

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#### Rule 31.

**Mr. Speaker :** The question is—

That rule 31 be adopted.

*The motion was carried.*

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#### Rule 31-A.

**Sardar Hari Singh** (Kangra and Northern Hoshiarpur, Sikh, Rural) : Sir, I beg to move—

That after rule 31, the following new rule be added :—

"31-A Answers to questions shall be direct, clear, definite and relevant and shall not be evasive".

Mr. Speaker, rules of procedure debar me from referring to the proceedings of the current session otherwise I could quote instance after instance to show how in this very session the replies received by us from members opposite have been neither direct, nor clear, nor definite, nor relevant, in many cases, and this tendency of the Government to give evasive answers which leave us in the dark, has been very strongly criticised in the local press. There have been leading articles appearing in newspapers of long standing like the Tribune and other papers. The very purpose of putting a question is lost if the answer from the Treasury benches is not to the point, is not definite and clear. The right of putting interpellations is a very valuable right and is a very valuable privilege of the members. It is true that the whole object of interpellations is nullified if the attitude of the Treasury benches is not what it ought to be and what it is in the House of Commons. I submit there is no written law, no rule or standing order of the House of Commons to this effect. The members of the Treasury benches in our province are not like the responsible Ministers in the House of Commons or other responsible legislatures. Their tendency of late, I do not know why, has very much deteriorated in the direction of being vague. I would submit that if restrictions are going to be put as regards the form of questions, if certain principle is going to be laid by certain rules, then the attitude of the Treasury benches must be what it ought to be.

**Mr. Speaker :** Rule under consideration, amendment moved is—

That after rule 31, the following new rule be added :—

31-A. Answers to questions shall be direct, clear, definite and relevant and shall not be evasive".

**Sardar Dasaundha Singh** (Deputy Speaker): Sir, there is no such provision in parliamentary practice. The remedy if a question is not completely answered is, that the question may be repeated. There is hardly any necessity for a Minister to evade answers, because a Minister can very well refuse to answer any question on the ground of public interest. Therefore my submission is that this provision is not consistent with parliamentary practice and I oppose this motion.

**Sardar Sampuran Singh :** Sir, this rule is not opposed to parliamentary practice. Parliament is governed more by conventions which have developed in the House than by written law. We know that the Ministers in England feel their responsibility and they generally try to satisfy the public by their answers and their answers are direct and not evasive or dodging.

**Mr. Speaker :** The word "dodging" is unparliamentary.

**Sardar Sampuran Singh :** I have used this word in its ordinary sense. If I had used it in respect of any Minister it would be unparliamentary, (*Minister for Finance :* You said about the whole ministry). I am going to qualify it. I do not mean to cast any aspersion or any reflection upon the ministry or any individual member of the Government. I said in a general way. So far as this country is concerned and the practice of the new constitution goes I think we have yet to develop that feeling of responsibility which has developed in Europe during so many centuries (*Minister for Education :* On either side). Yes, on either side. We have to be strict in certain respects in framing rules, as we try to keep the members of the Cabinet straight, and want to lay down such rules that they should not dare

[S. Sampuran Singh.]

to go out of the exact procedure as laid down by the conventions in the Parliament of England. Therefore we feel the necessity of this rule. As I have already submitted it is not against parliamentary practice, certainly it is not inconsistent with the written law in England.

Our Deputy Speaker has submitted that the question has to be completely answered. But I would ask, are they ever completely answered? I think the questions are not completely answered and to get complete answers a rule of this kind will be a necessity.

It is also stated that the Ministers sometimes need not give reply to a question. Perfectly correct. If they do not reply then we definitely know that they have not answered so many questions and in order to be fair both to the Ministers and the other members of the House it is absolutely necessary that rules should be such that the Ministers should not evade the questions as put by the members of this House and we do not want them to have credit of having answered those questions when they have only evaded them.

**Mian Abdul Aziz** (Outer Lahore, Muhammadan, Urban): With your permission I would like to add a few words. It is well known that when answers to questions are given by the Ministerial benches sometime when it suits their purpose they will give a full reply. On occasions when it does not suit their purpose answers would be evaded. To sub-questions of a question the answers sometimes are, (a) Yes, (b) No, (c) does not arise, (d) is not ready and (e) will be communicated subsequently. In the present session too you will see that several of the questions have received similar replies. But where the Government wants to press a matter and press its own opinion, then usually the reply is more than complete and the Ministers are certainly prepared to give a very full reply to such questions. The purpose of a question is to get information and there is no doubt that unless full information is given there is no use of those questions, and I am sure that if the Ministerial benches give a full reply they will find that several of the supplementary questions will not arise. That will save the time of the House. Similarly, several of the questions which would be put in the next session will not arise and that too will save the time of the House. Therefore, I consider that this amendment is necessary, but I would suggest one thing. I do not care so much about the relevancy of a question because I know that the Honourable Ministers have more than commonsense not to reply to anything which is not relevant. They will reply certainly to relevant portions. What I would submit is that two words which have been put down by the learned mover of this amendment are redundant and that the words "direct and shall not be evasive" should remain with an addition that the reply should be full and complete. With these words I certainly support this amendment and I am sure that the Treasury benches will not grudge this little amendment and that they will agree to it. There is nothing wrong in it. Of course we cannot force them to reply to questions which they think should not be answered in the public interest. Let them use their discretion. We have nothing to say about that. But in my opinion if this amendment is accepted. It will save the time of the House inasmuch as fewer supplementary questions will be asked and perhaps there will be no necessity to move several of the resolutions even.

**Munshi Hari Lal** (South Western Towns, General, Urban): Parliamentary practice has been cited by the honourable member on the other side. I may submit for his information that there are more unwritten laws and unwritten rules in England than written. The constitution in England is flexible, it is not rigid. There conventions exist and the question never arises whether answers given in the House of Commons are not clear, definite or relevant. We feel the difficulty here, for here the questions and answers are more a trial of wits than of satisfying the member who puts the question. The object of putting questions is to bring the administrative errors to the Ministers' notice and to point out the grievances. We want a clear, definite answer in order to satisfy the public that their grievance has been brought to the notice of Government and a reply has been received. What we find here is that an attempt is made on the side of the Treasury benches to outwit the questioner and to flout him if possible.

**Mr. Speaker**: It is open to honourable members to discuss generally what an answer should be, but they should not attack the Ministers, as their conduct is not under consideration.

**Lala Duni Chand**: I rise to a point of order. The manner in which the Ministers give answers---

**Mr. Speaker**: The manner in which the Ministers answer questions is not under discussion. It is the rule that is under discussion.

**Munshi Hari Lal**: I bow to your ruling, Sir. I have to give a reply to another argument that was advanced by the other side that the Ministers have the right to refuse to answer. That is not our complaint. We do not want to deprive them of the right to refuse to answer a question. Our object is that when the answer is given---

**Mr. Speaker**: The honourable member is repeating the argument advanced by Mian Abdul Aziz.

**Munshi Hari Lal**: I am putting it in another way. I had not finished the sentence. My submission was that their exercise of the right of refusal serves some purpose as it lands them in some awkward positions. If they choose to exercise that right of refusal, we have no quarrel. Only what we want is that if an answer is given it should be given in the manner which the amendment lays down.

**Khan Bahadur Chaudhri Riasat Ali** (Hafizabad, Muhammadan, Rural): It is true that the importance of the right of interpellations cannot be over-emphasised. But the difficulty is that if we adopt this amendment it will lead us into further complications. For example, it says that answers to questions shall be direct, clear, definite, relevant and not evasive. It will be again a matter of interpretation for you, Sir, whether the answer is clear or whether it is not. The same is the case with 'definite' and the same with 'relevant'. A point of order will be raised on every answer to a question and it will further involve us in the wastage of time of this House.

Then another trouble will be that so far as answering of questions by Ministers is concerned, it has been stated by the honourable Mian Sahib, that answers should totally satisfy the members.

**Mr. Speaker**: The present Minister's answers are not to be discussed.

**Khan Bahadur Chaudhri Riasat Ali :** My objection was that under the rules there is a procedure open to the honourable members if they are not satisfied with the answers given by a particular Minister or a particular member of the Cabinet. So there is no reason why we should adopt this amendment.

Another thing which is difficult is as to the interpretation of the word 'evasive'. Of course the Speaker might hold that a particular answer to a question is not evasive or it is evasive.

**Mr. Speaker :** I am not aware if in any Parliament the Speaker has the power to hold that an answer to a question is irrelevant or evasive.

**Khan Bahadur Chaudhri Riasat Ali :** If we adopt this amendment, then it will be a very important duty of the Speaker to decide it.

**Mr. Speaker :** Pass an Act to that effect.

**Khan Bahadur Chaudhri Riasat Ali :** I was submitting that if we adopt this rule it will lead us to further troubles and we should better abide by the conventions of this House. That will be safer. Therefore I oppose the amendment.

**Dr. Saif-ud-Din Kitchlew (Amritsar City, Muhammadan, Urban) :** Sir, I would be the last person to include the present Ministry or the present Ministers individually in the remarks which I have the honour to offer. I only want to place before this honourable House one aspect of the question. With your permission I do crave the indulgence of my friends on the side opposite. True, we on this side of the House to-day are in a hopeless minority. It is equally true that our friends on the side opposite command an overwhelming majority. Let us, consider this position from a different point of view. Supposing the tables are turned. Supposing my friends on the other side are placed in a position where we are to-day, would they honestly and genuinely consider that the kind of attitude that is being adopted in rejecting everything that comes from this side, fair and just? Here is a proposition before the House that some Ministers—not the present Ministers or the present Ministry—I exclude them—but some Ministers, at some time to come may take it into their head to give unnecessarily evasive answers. Would you not, I ask, feel hurt? It is said that the question can be repeated. But would not that involve a further expense, further wastage of energy on the part of those who hold office? What has really led me to think—I am a simple man—is this. It appears to me that what is really lacking at present with the opposite benches is a true sense of sportsmanship. I do not mean to insinuate anything personally against any individual member on the side opposite. If they only exhibit a truly democratic spirit and try to realise what will be the effect of this kind of attitude on the future democratic form of Government, I do believe they will appreciate the view point of this side of the House. I would, therefore, through you appeal to my honourable friends on the other side not to take into their hands such further power as would place them in a position to evade questions. I once more appeal to them to accept this amendment. It is a very harmless one and will satisfy everybody.

**Mr. E. Few (Anglo-Indian) :** I have only one word to say on this subject. I had no intention to take part in the debate. But the new rule sought to be incorporated in our rules of business has bothered me.

The right to put questions and supplementary questions is admitted and the Ministers are required to give reply. Is there anything in our rule from which an inference can be drawn that the replies to be given by the Ministers need not be correct? That is the whole thing to which the question resolves itself. My friends on the opposite side really want to put this in this form, that no reply from the Government benches should be considered satisfactory unless it has their approval. I will just remind you of one instance. On a certain occasion a member asked a question, to consider the release of a certain prisoner and the reply being in the negative an adjournment motion was moved on the ground that the reply was unsatisfactory. Therefore the point really is that all replies should be such as meet with the approval of the opposition. There is nothing in our rules that says that our Ministers should not adopt the honest course of giving correct replies and I therefore humbly submit that if you put a provision of this sort in the rules of procedure we would be broadcasting to the world that this House was full of depravity. I oppose the motion.

**Lala Bhim Sen Sachar** (North Western Towns, General Urban) : Sir, I have listened with attention to the speech of the last speaker. He has expressed his concern at a certain fact being broadcast. But I am afraid he has not followed the implication of rejecting this amendment. What is it that this amendment seeks to incorporate in the rules? It seeks nothing more than this, that the answers to the questions shall be clear, direct and not evasive. If anybody were to get up and say that a certain Minister in a certain legislature does not answer questions definitely, clearly and directly, I am sure that Minister will resent it very much. No Minister would like that his answers be not considered as clear and direct. What is it that we want in these rules? These rules are intended to regulate the procedure of this House. The House itself lays down certain directions for being followed. Now, we have rule 20 which the House has adopted only to-day which says that questions shall be self-contained and intelligible. Every one will admit that a question should be self-contained and that it should be intelligible. Again there is another direction in that rule which says that a question should not contain arguments, inferences, ironical expressions or defamatory statements. The House has a right to lay down certain instructions which should be observed. Just as there are certain rules with regard to the framing of questions, the proposed rules wants to lay down certain directions in which the answers should be given, that is, for instance that they should be clear and definite. I am sure no Minister will come forward and say that he would not like answers to be definite and clear and that is what every Minister is expected to do. I see no justification for opposing this amendment. The reasons for this amendment is just the reason for giving the direction to a member that his question should be intelligible. Every intelligent man is expected to put his question in an intelligible and clear way and yet there is a direction to this effect in the rules. Now, Sir, my honourable friend, Khan Bahadur Chaudhri Riasat Ali has said that it will expose you to a torpedo of points of orders, as if the rules are not already there! I say, that similar points of order and discussions will be raised even if this amendment is not there. Therefore, if

[L. Bhim Sen Sachar.]

the Treasury benches want to give the impression to the world outside, through debate here in this House, that every proposal that comes from this side of the House must be deemed to be unworthy, they may not carry the amendment which has emanated from this side; otherwise, there should be no objection in accepting this amendment. I, therefore, want that this rule should be incorporated in the rules.

**Sardar Muzaffar Ali Khan Qizilbash** (Lahore, Muhammadan, Rural) : Mr. Speaker, I rise to oppose this new rule. Superficially it appears to be a very simple matter. It only asks that answers to questions should be clear, definite, relevant and not evasive. If we carry out this rule we will be putting ourselves into a great difficulty. Who will judge and decide whether the answer given is evasive, irrelevant or not ?

**Mr. Speaker** : Nobody.

**Sardar Muzaffar Ali Khan Qizilbash** : As you pointed out in the first place you have no power to decide that and secondly you cannot force the Ministers to reply to questions. But the present position is that the Ministers—I am not making any personal remarks—are in any case bound to give clear answers to questions asked and as a rule, if they do not want to reply to a question they can always say that it is not in the public interest to do so.

**Mr. Speaker** : According to Parliamentary Practice a Minister can refuse to answer a question without assigning any reason.

**Sardar Muzaffar Ali Khan Qizilbash** : Quite so. If, however, a Minister refuses to reply to a question which is an important one the honourable member can always bring an adjournment motion to that effect. It seems to me, however, that by passing rule 31-A we are contradicting rule 31 which says :—

“.....no discussion shall be permitted in respect of any question or of any answer given to a question.”

and thereby allowing discussions on answers and certainly there is going to be a debate on whether the answer given is relevant or not.

**Mr. Speaker** : Who will be the judge of irrelevancy and indefiniteness ?

**Sardar Muzaffar Ali Khan Qizilbash** : I am afraid, I do not know.

**Mr. Speaker** : May I ask the honourable members who are insisting upon the passage of this rule, as to who will be the judge ?

**Pandit Muni Lal Kalia** : Commonsense will be the judge.

**Mr. Speaker** : Whose commonsense will it be ? May I ask whether a Speaker, who can allow or disallow questions, can allow or disallow answers as well ?

**Diwan Chaman Lall** : This is not a question of disallowing an answer. When an answer is being asked, the Speaker can ask the Minister to be relevant. As it is the right of the Speaker to prevent a Minister from being irrelevant in his speech, there is also the right of the Speaker to ask the Minister to be relevant in his reply.

**Sardar Muzaffar Ali Khan Qizilbash** : I think I have not been able to make myself clear. I was trying to point out that if we pass this rule the question whether this or that answer is relevant, irrelevant, definite

or indefinite will be raised at once and that is against the present rule; and as you yourself pointed out, who will be the judge of the relevancy of an answer?

**Mr. Speaker:** According to Parliamentary Practice (May's page 245), :—

"An answer should be confined to the points contained in the question, with such explanation only as renders the answer intelligible."

**Mian Abdul Aziz:** When a complete and definite answer is not given to the member who puts the question, you are always pleased to ask the Minister concerned to be definite and clear.

**Mr. Speaker:** I have repeatedly said that that is not in my power.

**Raja Ghazanfar Ali Khan** (Parliamentary Secretary): Sir, my honourable friend, Lala Bhim Sen Sachar, just now remarked "while we have made a definite rule that a question should be intelligible and definite, why do you leave the answers to be indefinite?" I would submit that when a question is to be restricted under the rules so as to be fair, clear and definite, the answer need not be restricted by rules, because there can be only one answer to a definite question. Therefore there seems to be no point in the argument that because a rule has been framed to the effect that questions must be definite, therefore there should be a similar rule in the case of answers. I would submit that if we adopt this rule, it would give rise to conflicts and frictions almost every day, at least 50 times a day, because almost to every question when an answer is given, it may be said that it does not satisfy the wishes of the member who has asked that question. He will consider that the answer is evasive or that it is not definite, although the answer may be perfectly honest and straightforward. Then, again, how can an honourable member determine whether the answer is correct, whether it is relevant or irrelevant? Only the Minister who has read the file can determine whether, after consulting the facts contained in the file, the answer given is relevant and definite or not.

Some of the honourable members think that the Speaker would be the judge as to whether an answer is definite, direct and clear or not. I personally would not mind if the Speaker had even more powers than what the honourable members opposite intend to give. But I am afraid it will be extremely unpleasant for any Speaker almost every morning for one hour at the commencement of the business to determine whether a certain answer is definite or not. Therefore, when we know that there is no proper agency to determine whether an answer is definite and clear or not, why have this rule included in the standing orders at all? Moreover, with my limited knowledge of constitutional law, I have not come across any other constitution of the world where they have got such a rule incorporated in the standing orders. As a matter of fact, I admire the originality of my honourable friends opposite for bringing forward an idea which nobody has so far thought of. This question should not have been considered seriously. I would request honourable members to leave something to conventions also. I personally believe that the rules that we have already got are too extensive; there are many things which ought to have been decided by our own conventions. We know that the Speaker on very rare occasions, when he is of the opinion that the answer

6 P.M.

[Raja Ghazanfar Ali Khan.]

should be more clear and the Government are in possession of that information, may call upon the Government member to be more explicit; but to frame a definite rule would be absolutely absurd.

**Pandit Muni Lal Kalia** (Ludhiana and Ferozepore, General, Rural) : I fail to understand why attempts are being made on the other side to confuse a simple proposition in the shape of an amendment now under discussion. It has been suggested that this amendment is a sort of reflection on the Ministry. If you kindly read the rule which we have just adopted which deals with the form of questions and the way in which questions are to be asked with a host of 'Don'ts', there is no harm if we also lay down a condition to the effect that the answers should be of such a kind. It has just been pointed out by the last speaker that he is unaware of the existence of such a provision in any other constitution of the world. A few minutes ago an honourable member was reading a passage from May's Parliamentary Practice which amounts to the same thing which we want to incorporate in these rules. I will in this connection draw the attention of the House to the last amendment which we have on the agenda paper and which is in the name of the Deputy Speaker. That gives us an idea that the Ministerial Party has already agreed to follow the practice prevalent in the House of Commons. The new rule runs like this—

**Mr. Speaker :** That amendment is not before the House.

**Pandit Muni Lal Kalia :** The amendment which is being brought before the House by the Deputy Speaker is, as a matter of fact, a sort of residuary clause so far as these rules are concerned.

**Premier :** Then why not leave this also to the residuary clause ?

**Pandit Muni Lal Kalia :** Personally I do not see any harm if an amendment of a very simple nature which only demands that replies to questions should be clear, direct and relevant is adopted. Then there is another point raised, namely, who will be the judge in a controversy that may ensue ? As a matter of fact, no controversy, no dispute is anticipated. It all depends upon the *bona fides* of the Ministers to give definite and clear answers. I am constrained to say that this amendment is being opposed merely for the reason that it is being proposed from this side.

**Mir Maqbool Mahmood** (Parliamentary Secretary) : I am afraid, Sir, that the amendment which has been moved and the arguments that have been given in support of it cut at the very root of the procedure in regard to answers to questions that is followed here or elsewhere. I must with due deference to the honourable mover of this amendment say that such an amendment can only come from and be supported by a section of the House which is not alive to its responsibility in the art of government. I think if my honourable friend, the mover of this amendment, had applied himself to the question as to why there does not exist a similar provision in any constitution of the world, he would have found the answer. The answer is clear. You know that it is open to the honourable member on the Treasury benches while replying to a question to state that it is not in the public interest to answer a particular question. I ask whether the honourable member wants to take away that right from the members of the Treasury benches by bringing forward the amendment which is now under discussion.

If he does not want to take away that right, I submit that his amendment has no meaning.

That is my first contention. The second submission I would make is that it is a wrong assumption that it helps the Government not to answer a question or to say that it is in public interest not to reply. I can assure honourable members opposite that if a genuine question is put it is in the interests of the Government to answer that and clear the misunderstanding if any. Moreover, the only persons who can decide whether it is in the interest of public that a question be not answered or a specific answer be not given, are those who have gone through the file and decided on merits whether that question can be or cannot be answered. And no person, even if he be in the exalted position of the Speaker, who has not gone through the files can in fairness to the House be expected to express himself on the question whether an honourable Minister is justified in stating that it is not in public interest to reply to a question. I submit that we should look at these questions with the outlook of a responsible government and a responsible opposition. I would invite attention of my honourable members opposite to the fact that they will find that the two Congress provinces also, which have so far drafted their rules, have nothing of the kind of amendment proposed in this rules. With these words I oppose the amendment.

**Diwan Chaman Lall** (East-Punjab, Non-Union Labour) : The last speaker has stated that other Congress Ministries have not adopted a similar rule. Let me tell the last speaker the reason why other Congress Ministries have not adopted this rule. They do not indulge in evasive and indirect replies. (*Cheers.*) They are perfectly within their right in not giving a reply. But when they give a reply it is to the point and not evasive. They do not turn round and say, when they are asked what a political prisoner is, that they do not know what a political prisoner is (*Hear, hear*).

**Mr. Speaker** : The honourable member is now discussing—rather criticising—the Ministry. That is not fair.

**Diwan Chaman Lall** : What I am doing at the present moment is to give you an example of what Congress Ministries do not do and I assure you I am within my rights in giving an example to my learned friend when he talks about other ministries. What does this amendment mean ? I ask members of this Assembly whether any member on the floor of this House is desirous that replies given by honourable ministers should be indirect, should be unclear, should be evasive. I want to ask the Treasury benches to let this House know whether they are in agreement with this proposition that honourable ministers or their parliamentary secretaries should give us evasive and indirect replies or unclear replies. (*Voices from Treasury benches* : We have never done so.) I hear loud shouts on the other side that they are not in favour of this. Then why object to this amendment ? (*Hear, hear and laughter.*) If my honourable friends are not in favour of giving evasive replies or indirect replies, why are they so angrily objecting to the acceptance of this amendment ? (*Interruption*). This is not the only reason. The reason must be that they do not want to give clear replies—they do not want to give direct replies. They want to indulge in evasive replies. (*Voices from Treasury benches* : No, no.).

**Minister for Finance :** It is a specious logic.

**Diwan Chaman Lall :** My learned friend over there says it is a specious logic. It is a logic which he has not been able to meet and so defines it as a specious logic. It seems to me that when ministerial benches are unable to meet an argument, they say it is a specious argument. The more I hear remarks of this nature the more I feel certain that it is necessary to have an amendment of this nature. My learned friend, Mir Maqbool Mahmood, also stated that he did not know who was going to be the judge of all this. If you will turn to the rule already passed, Mr. Speaker, you will find that there are fourteen conditions laid down in relation to questions that can be put and one of the conditions laid down is that "it must relate to public affairs". When you admit a question which relates to public affairs, are you in possession of the file of the department? No. Nowhere will it be necessary for you, Mr. Speaker, to judge whether the answer given necessarily requires you to examine or anybody else to examine the file before you can find out that it is a definite answer or not. This is a specious argument, this is a fallacious argument, this is an argument which is meant to throw a smokescreen over the real issue. Again, out of fourteen conditions relating to questions there is one which says "a question shall be self-contained and intelligible". There is no difficulty for the Speaker to find out what is an intelligible question or whether it is a definite question or not. And, therefore, what difficulty could the Speaker have in deciding whether the answer is relevant, direct or unevasive? I submit that the question that I put to the other side answers itself. There is no doubt whatsoever that what the Opposition have in their minds is the fact which has been expressed on the floor of this House that the honourable members opposite evade the real proper replies that they should give to questions. It is a fear which has been impressed on the minds of those who have been indulging in interrogations in this House. If I were not barred by the rules, I am sure I could give you example after example of the evasions indulged in by honourable members opposite. That is the reason why we are in favour of this particular amendment that we are moving before you. My honourable friend Mir Maqbool Mahmood also said that this amendment is moved by people who are not conversant with the art of government.

**Mr. Speaker :** Irrelevant remarks need not be answered.

**Diwan Chaman Lall :** It is one of the most relevant remarks. What my learned friend means is this that when Machiavelli wrote his 'Prince' what he did was to suggest to the princes and rulers of his time the art of evasion and what my learned friend means by the art of responsible government is the art of evasion. (*Cheers.*)

**Premier** (The Honourable Major Sir Sikander Hyat-Khan) : I have, as usual, heard with very great interest the very eloquent speech of my honourable friend opposite but the only question, the only difficulty, which was pointed out also by my honourable friend representing Lahore is, who is going to decide whether the answer is evasive or not? The point is, as was pointed out by Mir Maqbool Mahmood, that the file would not be available to the Speaker, it will not be available to the Opposition. The gentleman who puts a question has got only one side of the picture. When the question comes to Government they have to make

enquiries through official agencies or other agencies and to reply as best as they can to the question on the strength of the information which they have collected. They, therefore, more or less get both sides of the picture and there is no question of evasion or vagueness. We try our best to be as clear as possible and as relevant as circumstances permit. But there are questions on which, as has been pointed out in this House, Government cannot give a reply in the interest of the public and Government definitely says that it is not in the public interest to answer that question. So, where is the need for the Government to evade a question? They can always refuse to answer a question instead of evading or giving an evasive answer. The real point is that if you put in that rule you will find that while now we deal with thirty or forty questions during the one hour reserved for them, then we will probably be able to deal with only three or four questions. Then an argument will start that a certain reply to a question is evasive simply because it does not satisfy the honourable member who puts that question. They will then ask for your ruling and we will say on this side of the House that it is not evasive and since documents will not be available, it will be impossible for you or anybody else to decide whether that answer is evasive or not. As you know, some of these questions relate to matters which are absolutely secret and we have to give information to the extent that it will supply an answer to the honourable member who has asked that question without in any way divulging information whose release is prejudicial to the interest of the public. So, in those circumstances it is again the Government which is to be the judge of its evasiveness, its clarity or definiteness. I again wish to submit to my honourable friends opposite that there is no intention whatsoever on the part of the Government to be evasive or indefinite. As a matter of fact, we try to be as clear as possible and then my honourable friends opposite, where they find that the answer is not definite or is evasive, have got the right of supplementary questions which they can put for the purpose of trying to elucidate and find out further information on the point. If their supplementary question cannot be answered on the spur of the moment, the minister always asks for time and a fresh notice to be given. Then they try to meet the honourable member who has put a question as best as they possibly can. I want to impress upon the House that if we put in this rule there would be no end to discussion in this House during the question hour. I can assure you that nine out of ten files are such that it would be impossible for Government to lay them on the table or even to show the relevant portions because they relate to secret public matters which they would not be justified in the public interest to divulge. In the circumstances I think, as my friend, Mir Maqbool Mahmood, put it, that since we are now a more or less responsible House we must have some confidence in the Treasury benches. We are here to-day : we may not be here to-morrow and my honourable friends opposite may be occupying these benches. It would not behove us to say that because they occupy the Treasury benches they are not responsible. They will have the same difficulty which we have got in dealing with this matter. They will be asked to be as frank, as clear and as definite. If there had not been all these difficulties, I would not have opposed this amendment; but as I say all these difficulties are there. I think if we allow this amendment to creep in our rules, it would retard the business of the House and would create bitterness during question hour. I, therefore, appeal to my honourable friends opposite not

[Premier.]

to make rules which are not in consonance with the conventions of parliamentary institutions of other countries. We have to set up conventions which are conducive to harmony and constructive work. We are sitting on opposite benches to-day but we must have the interest of the province and the interest of those who will come after us always before us, and we must set down conventions in such a way that when our successors come they will not curse us for binding them down to such conventions which are *infra dig.* of the House and would not be conducive to the expedition of the business of the House. I hope the honourable mover will not press his motion.

(Voices : Question be now put.)

**Chaudhri Kartar Singh (Urdu) :** On a point of information. The short notice questions which are put by this side of the House are not answered by the responsible Ministers.

**Mr. Speaker :** The question is—

That the question be now put.

*The motion was carried.*

**Sardar Hari Singh :** Sir, I would like to say a few words in reply to the Honourable Premier. Mr. Speaker, friends opposite have been harping again and again on parliamentary practice and procedure. On this amendment too they have seen it fit to requisition the aid of parliamentary procedure. May I put them a very pertinent question ? Will they be agreeable to follow the parliamentary practice of the House of Commons as regards adjournment motions, as regards censure motions on the ministry (Premier : Yes that is what I have been crying) and all the conventions as regards leave to introduce private Bills. If they could give me a definite assurance that they will agree to the incorporation of the parliamentary practice of the House of Commons as regards these matters, I am quite willing to withdraw it but not otherwise. Without referring to any particular irrelevance I want to give just one instance. A member puts a question like this : "have rules been framed for such and such purpose ?" The reply given is "they must have been framed". Again a question is put, "have they been framed". Again the reply is "they must have been framed". In such cases I want that there should be power to pull up the members who ought to say whether it is within their knowledge or not. It is to meet such a situation that I want the Speaker to instruct the Treasury benches to say definitely in the affirmative or in the negative whether they have knowledge of it or not. There is a very important point I want to refer to. In the House of Commons there is a very strong check on the Treasury benches to be definite, clear and satisfactory in their replies. If on a certain day the reply given by a Minister is not satisfactory in respect to its definiteness, clearness, and non-evasive nature, a member can stand up and move for the adjournment of the House and if 40 members support it there is an adjournment motion which is discussed for two hours and the time of the government is wasted. It is because of the fear of an adjournment motion that the replies given by the Treasury benches in the House of Commons

are not unsatisfactory, indefinite, unclear and evasive. If such an assurance is forthcoming I shall be gladly prepared to withdraw it. If they are not agreeable I am not prepared to withdraw it. If they want to follow the parliamentary practice in this House they should go the whole hog and not so far as it suits them.

**Mr. Speaker :** The question is—

That after rule 31, the following new rule be added :—

“31-A. Answers to questions shall be direct, clear, definite and relevant and shall not be evasive.”

*The motion was lost.*

*The Assembly then adjourned till 2 P.M. on Tuesday, 25th January, 1938.*

[illegible]

# PUNJAB LEGISLATIVE ASSEMBLY.

1st SESSION OF THE 1st PUNJAB LEGISLATIVE ASSEMBLY.

Tuesday, 25th January, 1938.

*The Assembly met at the Council Chamber at 2 P.M. of the clock. Mr. Speaker in the chair.*

## STARRED QUESTIONS AND ANSWERS.

ELECTORAL ROLLS OF SMALL TOWN COMMITTEE, UNA.

**\*1442. Sardar Hari Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that instructions were issued by the Deputy Commissioner, Hoshiarpur, some time before December, 1936, to the Secretary, Small Town Committee, Una, for the preparation of electoral rolls for the general election to the said committee to be held in April, 1937, by 31st December, 1936, directing him at the same time to prepare the rolls accurately after full verification after house to house visit ;
- (b) whether it is also a fact that in the first week of December, 1936, Sardar Jawahar Singh, the then sitting member of the committee, made a representation to the Tahsildar, Una, the then President of the committee alleging wrong preparation of rolls by the Secretary without proper inquiry and the leakage of official information, and whether a similar representation was made by the same gentleman to the officer in charge of Local Bodies on 20th December, 1936, and further whether a telegraphic representation was made on or about the same date to the Deputy Commissioner, Hoshiarpur, by Master Dewan Chand of Una on the same subject ;
- (c) whether it is a fact that in his inspection note, dated 17th March, 1937, the officer in charge of Local Bodies acknowledged the truth of the main allegation by the said Sardar Jawahar Singh and whether it is a fact that the said notes were forwarded to the Deputy Commissioner who called for an explanation from the Secretary ;
- (d) whether in his letter, dated 24th May, 1937, addressed to the officer in charge, Local Bodies the Tahsildar, Una, proposed that a fine of 1½ months' pay be imposed on the Secretary ;
- (e) whether it is a fact that in his note, dated 12th June, 1937, the officer in charge remarked that it was not wise to admit at that stage that the said lists were actually incorrect when the election was already over ;

[Sardar Hari Singh.]

(f) whether it is a fact that in his note, dated 17th July, 1937, the Deputy Commissioner suggested that charges be framed against the Secretary and he be punished severely;

(g) if the answer to the above be in the affirmative, the action taken or proposed to be taken by the authorities to rectify the irregularities as revealed above to prevent recurrence of similar incidents;

(h) whether he will be pleased to lay a copy each of the relevant documents referred to in the preceding parts of the question on the table of the House?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** It is believed that the matters referred to in this question are now under enquiry in a court of justice. Under the circumstances it is regretted that no reply can be given.

**Sardar Hari Singh :** May I know from the Honourable Minister whether all the issues raised here are issues pending in the Court?

**Minister :** My reply is clear, definite and non-evasive.

**Diwan Chaman Lall :** Might I ask the Honourable Minister to be a little more clear, definite and non-evasive? May I know whether part (a) of the question is a matter under adjudication? In that part the question asks whether any instructions were issued by the Deputy Commissioner to the Secretary to prepare the electoral rolls. That cannot possibly be a matter which is *sub-judice*.

**Minister :** The matters referred to in this question are now under enquiry in a court of justice.

**Diwan Chaman Lall :** May I have a ruling on this point? I would draw your attention to part (a) of the question. It reads :

Whether it is a fact that instructions were issued by the Deputy Commissioner, Hoshiarpur some time before December, 1936, to the Secretary, Small Town Committee, Una, for the preparation of electoral rolls for the general election to the said committee to be held in April, 1937, by 31st December, 1936, directing him at the same time to prepare the rolls accurately after full verification after house to house visit.

I ask whether any Honourable Member sitting on the Treasury benches can claim that he will not answer this question on the ground that the matter is *sub-judice*? This information is information regarding certain files which are in the possession of the Deputy Commissioner. The question asks for a mere statement of facts, and the Honourable Minister ought to know what the facts are.

**Mr. Speaker :** If the honourable member reads the remaining parts of the question, he will see that the charge against the Secretary is that he has prepared the electoral rolls wrongly and that he is being taken to task for what he is said to have done. The honourable member will see that that is the case, and that the matter is *sub-judice*.

**Diwan Chaman Lall :** You are right in regard to the other portions of the question, but I am drawing your attention to part (a). That part cannot be said to contain matter which is *sub-judice*. It is a matter asking

whether instructions were issued by the Deputy Commissioner in regard to the preparation of the electoral rolls. He may tell us whether that is a fact or not. Of course, he can claim privilege with regard to the other parts.

**Mr. Speaker :** If the honourable member will read part (f) of the question, he will see that a charge has been framed against the Secretary; but I do not know yet whether the inquiry is departmental or judicial.

**Minister :** All the matters are inter-connected and they are under inquiry, as I have said.

**Mr. Speaker :** The question is whether the inquiry is departmental or judicial.

**Minister :** My words are clear. I have said, enquiry in a court of justice.

**Mr. Speaker :** Then the supplementary question does not arise.

**Pandit Shri Ram Sharma :** Was the behaviour of the officer in charge of Local Bodies mentioned in part (c) of the question not objectionable?

**Minister :** I am afraid I am unable to add to the information already supplied.

**Pandit Shri Ram Sharma :** I would like to know whether the officer in charge actually made the remark mentioned in part (e).

**Lala Duni Chand :** In which criminal court is the case pending and will the Honourable Minister mention the name of the magistrate?

**Mr. Speaker :** That question does not arise.

**Minister :** I am answering it by silence.

#### RESTORATION OF PENSIONS OF THE MILITARY PENSIONERS.

\*1443. **Sardar Lal Singh :** Will the Honourable Premier be pleased to state whether the Government has considered the question of moving the Central Government to restore the pensions of the Military Pensioners whose pensions were stopped in the last Akali Movement on the recommendation of the Punjab Government; if so, with what result?

**Parliamentary Secretary** (Khan Bahadur Mian Ahmad Yar Khan Daulatana): The policy of the Punjab Government in this matter was explained in an address<sup>1</sup> delivered by His Excellency Sir Malcolm Hailey in the Punjab Legislative Council on the 9th July, 1925, to which the honourable member is invited to refer. In pursuance of this policy the Provincial Government have been able to recommend the restoration of military pensions in a large number of cases when the pensioner has furnished the required assurances.

**Pandit Shri Ram Sharma :** Are the recommendations of the Punjab Government necessary for forfeiting and restoring the pensions of military pensioners?

**Parliamentary Secretary :** I have answered clearly that we have recommended the restoration of pensions in many cases.

**Pandit Shri Ram Sharma :** May I know whether the Punjab Government have a hand in forfeiting or restoring the pensions of military pensioners ?

**Mr. Speaker :** The honourable member has simply repeated his question in different words.

**Sardar Hari Singh :** May I know what are the "required assurances" ?

**Parliamentary Secretary :** If the honourable member looks up the Council Debates which are kept in the Assembly Library, he will find the information in the address.

**Sardar Hari Singh :** May I know if the Unionist Government have made any recommendations to the Government of India regarding the restoration of pensions ?

**Parliamentary Secretary :** If required assurance is given we will consider the cases.

**Sardar Hari Singh :** Are we to understand that the Unionist Government is tied down to the policy laid down in 1925 ?

**Parliamentary Secretary :** If the honourable member looks up the address, he will not put that question again.

#### REMISSION OF RABI ON ACCOUNT OF DAMAGE TO CROPS FROM HAILSTORM.

**\*1444. Sardar Lal Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that the revenue for *Rabi* due from the villagers of Saya Kalan, tahsil Ludhiana, was remitted owing to damage to crops from hailstorm in the early part of 1937 ;
- (b) whether it is also a fact that these villagers were given further help in the shape of *Taqavi* loans ;
- (c) whether it is not a fact that the lambardars of the said villages forcibly collected their *Panjotra* and that the revenue officers aided this collection ; if so, the reasons why this was permitted and aided by the Zaildar and the Tahsildar concerned ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) No, the zamindars did not apply for taccavi loans, but a sum of Rs. 593 was distributed as gratuitous relief from the Famine Relief Fund.

(c) Yes, *pachotra* was recovered by the lambardars without the knowledge of the Revenue Officers and as soon as the matter came to the notice of the Collector, necessary action was taken to make the lambardars refund the amount.

**An honourable member :** What was that necessary action ?

**Minister :** To refund the money.

**Pandit Muni Lal Kalia :** Was any representation made by the villagers of this place with regard to the allegations made against the officers ?

**Minister :** I do not think I could add anything more useful to the reply I have already given.

RENDITION OF ACCOUNTS OF MALBA TO VILLAGERS OF SAYA KALAN.

**\*1445. Sardar Lal Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that some of the villagers of Saya Kalan tahsil Ludhiana, recently asked for the rendition of accounts of malba collected for years past and the lambardars concerned refused to render any such account ;
- (b) whether it is not a fact that the lambardars refused to accept other amounts payable as local rates because some of the villagers did not want to pay malba ;
- (c) whether it is not a fact that these villagers through their representative brought this fact to the notice of the Deputy Commissioner, Ludhiana, a few days before 11th August, 1937, that they were being coerced into paying malba by the refusal of the lambardars to accept other local rates ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) and (b) Government has no information.

(c) No.

SYSTEM OF ELECTION FOR ISAKHEL, KALABAGH AND PINDIGHEB MUNICIPAL COMMITTEES.

**\*1446. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Public Works be pleased to state whether the question of introducing the system of election in Isakhel, Kalabagh and Pindigheb municipalities has been considered by him so far ; if so, with what result, and, if not, why not ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** The matter was considered and for the present it has been decided to introduce elective system at Kalabagh.

**Dr. Gopi Chand Bhargava :** What is the decision about Isakhel and Pindigheb ?

**Minister :** The matter was considered and for the present it has been decided to introduce elective system at Kalabagh.

**Dr. Gopi Chand Bhargava :** Has the Government not introduced the elective system at Isakhel and Pindigheb ?

**Minister :** My reply is clear. The matter was considered and for the present it has been decided to introduce elective system at Kalabagh.

**Dr. Gopi Chand Bhargava :** I do not want to presume things. I want to know definitely whether Government has decided not to introduce elective system in Isakhel and Pindigheb ?

**Minister :** My answer is clear, definite and non-evasive.

**Diwan Chaman Lall :** Will the Honourable Minister state the reasons for not introducing the elective system in Isakhel and Pindigheb ?

**Minister :** The matter was considered and for the present it has been decided to introduce elective system in Kalabagh.

**Diwan Chaman Lall :** May I direct your attention to the deliberately indifferent manner in which the Honourable Ministers sitting on the Treasury benches are treating the Opposition when the Opposition require information on important matters? Is the Honourable Minister aware that a representation signed with the blood of certain citizens of Pindigheb has been received by Government asking the Government to introduce the elective system in Pindigheb?

**Minister :** No, Sir. I know nothing about the representation signed with blood.

**Diwan Chaman Lall :** May I take it that the Honourable Minister is ignorant of what is going on in his own office?

**Minister :** Either I am ignorant or your information is totally incorrect.

**Diwan Chaman Lall :** May I draw the attention of the honourable member to the fact that the information supplied to me has been supplied to his office?

**Minister :** That can be incorrect also. Nothing is infallible in human affairs.

**Diwan Chaman Lall :** May I take it that because all their conclusions are incorrect they are not stating them on the floor of this House?

**Lala Bhim Sen Sachar :** May I know when the matter was considered? What is the date and the month in which the matter relating to Isakhel and Pindigheb municipalities was considered?

**Minister :** It was considered after the Simla session.

**Lala Bhim Sen Sachar :** Will the Honourable Member please give us the month in which it was considered? Was it a month after the Simla session?

**Minister :** We consider so many things and it is very difficult to give the dates off-hand.

**Lala Bhim Sen Sachar :** Has not the Honourable Member the information in his files before him at present?

**Minister :** We never carry about the dates of the consideration of particular cases with us.

**Lala Bhim Sen Sachar :** Has not the Honourable Member with him the month in which the matter was considered?

**Lala Bhim Sen Sachar :** Who considered the matter?

**Minister :** Government.

**Lala Bhim Sen Sachar :** Which part of the Government? Did the whole Cabinet consider this matter?

**Lala Bhim Sen Sachar :** The attitude of the Honourable Minister would justify our putting more questions. This is a matter which relates to the rights of a large number of people inhabiting those places and my submission is—

**Mr. Speaker :** No speech can be allowed at this stage. Only supplementary questions can be asked.

**Lala Bhim Sen Sachar :** I am not making a speech. The answers of the Honourable Minister are not clear and we only want to have further elucidation of the point. My question is, what were the things or what were the factors or what was the material that was taken into consideration while arriving at the decision that for the present the system of election should not be introduced in Pindigheb and Isakhel?

**Minister :** If my honourable friend would have patience till the next question is reached of which he has himself given notice, he will get the answer.

**Lala Bhim Sen Sachar :** I do not require to be reminded by the Honourable Minister about my question. I am dealing with the present question.

**Pandit Shri Ram Sharma :** What are the special reasons for introducing the system of election in Kalabagh?

**Mian Muhammad Iftikhar-ud-Din :** Is the Honourable Minister aware of the fact that during recent months many conferences demanding elective system in Pindigheb have been held?

(No answer.)

**Mian Muhammad Iftikhar-ud-Din :** This is not the way to answer questions.

#### MEDICAL OFFICERS' SHARE OF RENT AND FEE CHARGES FROM IN-DOOR PATIENTS.

**\*1447. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Education be pleased to state whether the medical officers, incharge of hospitals where private wards for indoor patients are maintained are entitled to get a share out of the rent and fee charges from the patients; if so, how much?

**The Honourable Mian Abdul Haye :** Daily charges comprising rent of room, charges for board, etc., operation room fees and sterilization charges paid by patients treated in private and family wards attached to Government hospitals are credited in entirety to Government. Visiting fees, operation fees and confinement fees are retained in full by medical officers. As regards the laboratory and X-Ray fees, 40 per cent. is credited to Government and 60 per cent. is retained by medical officers.

**Pandit Shri Ram Sharma :** Will the Honourable Minister please state since when the present system has been in force?

**Minister :** I cannot give the honourable member the date of its inception.

#### AMENDMENT OF SECTION 85 OF GOVERNMENT OF INDIA ACT.

**\*1448. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether any reply has so far been received to the representation made by his Government regarding amendment of section 85 of the Government of India Act, 1935?

**Parliamentary Private Secretary (Syed Amjad Ali Shah) :** Information has been received that the matter is still under consideration.

**Dr. Gopi Chand Bhargava :** May I enquire whether the Government is aware of the date and time when the reply is expected ?

**Parliamentary Private Secretary :** No definite date can be given.

**Pandit Muni Lal Kalia :** When was the matter moved ?

**Pandit Shri Ram Sharma :** On a point of order. Is the Parliamentary Private Secretary allowed to answer questions ?

**Parliamentary Secretary (Mir Maqbool Mahmood) :** So far as the rules stand the definition of " Member of the Government " is " a Minister and includes any member to whom such Minister may delegate any functions assigned to him under these rules." Even a member who is not a Parliamentary Private Secretary can answer questions under these rules if he is so authorised.

**Pandit Muni Lal Kalia :** Is there any such delegation in this case ?

**Parliamentary Secretary :** Yes.

**Diwan Chaman Lall :** Will the honourable member produce the letter of authority ?

**Mr. Speaker :** No written authority is necessary.

**Pandit Shri Ram Sharma :** On a point of order. May I know whether the ruling given by you in the matter of putting of questions by Parliamentary Secretaries and Parliamentary Private Secretaries does not apply in this case ?

**Seth Ram Narain Virmani :** You told us the other day that they are only go-betweens between members and Ministers.

**Mr. Speaker :** Honourable members ought to carefully interpret the rule relied upon by the honourable Mir Maqbool Mahmood. In the definitions given in *interim* rules, which are at present in force, it is said " Member of the Government " means a Minister and includes any member to whom such Minister may delegate any functions assigned to him under these rules." So long as that definition stands, not only a Parliamentary Private Secretary, but any member of the Assembly can be authorised to perform any functions which are assigned to a Minister under the rules.

**Pandit Shri Ram Sharma :** Can they put questions ?

**Mr. Speaker :** If a Minister can put questions he can certainly delegate that power to another member. But he cannot ask questions, because he is a member of Government. Ministers can answer questions, but cannot put questions.

**Lala Bhim Sen Sachar :** May I submit that " member " here refers to " member " of the Council of Ministers ? Minister means a member of the Council of Ministers and " member " here must mean a member of the Council of Ministers. It means a Minister in charge of a particular department may delegate his power to a fellow member, *i.e.*, another Minister.

**Mr. Speaker :** So long as the definitions of " member " and " member of the Government " stand as they are, there can be no other interpretation.

## ODES IN FEROZEPUR AND LUDHIANA DISTRICTS.

**\*1449. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether he has so far examined the problem of Odes in Ferozepur and Ludhiana districts ; if so, the conclusions at which he has arrived so far regarding that problem ?

**Parliamentary Secretary (Mir Maqbool Mahmood) :** The question whether special methods are necessary to deal with the Ode problem is at present under the consideration of Government. No conclusions have yet been arrived at.

**Pandit Muni Lal Kalia :** At what stage is the matter regarding the Odes in Ferozepur and Ludhiana districts ?

**Parliamentary Secretary :** I could not follow the question of the honourable member.

**Dr. Gopi Chand Bhargava :** How far have your considerations proceeded ?

**Parliamentary Secretary :** I am not in a position to state anything off-hand, but if I get notice for that I shall be delighted to go into the matter.

**Pandit Shri Ram Sharma :** Are these enquiries about Odes limited to these two districts only ?

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

**Pandit Muni Lal Kalia :** Have any steps been taken after the Simla session, so far as this trouble in the two districts is concerned ?

**Parliamentary Secretary :** I understand that the consideration is proceeding ever since.

**Pandit Muni Lal Kalia :** After the Simla session ?

**Parliamentary Secretary :** Yes.

**Diwan Chaman Lall :** Is there any possibility of this consideration being completed before the Unionist Government go out of office ?  
(Laughter).

**Parliamentary Secretary :** My honourable friend may rest assured that change, God-willing, will not come during his life-time, but the matter under reference is being expedited.

**Diwan Chaman Lall :** Do I take it that this matter will not be considered during your life-time ?

**Dr. Gopi Chand Bhargava :** By what time can we expect the consideration to be completed and a decision arrived at ?

**Parliamentary Secretary :** It is very difficult for me to give the exact date, but I can assure the Honourable Leader of the Opposition that the matter is being expedited and considered.

## INSTRUCTIONS FOR REDUCTION OF I. M. S. OFFICERS IN PUNJAB.

**\*1450. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Education be pleased to state whether he has by now received full instructions from the Secretary of State for India about the method of reduction.

[Dr. Gopi Chand Bhargava.]

in the number of I. M. S. officers in the Punjab; if so, whether he will be pleased to lay a copy of these instructions on the table of the House?

**The Honourable Mian Abdul Haye :** Not yet.

**Dr. Gopi Chand Bhargava :** When are these instructions expected?

**Minister :** It is for the Right Honourable Secretary of State to say. I am not in communication with him.

**Lala Duni Chand :** Is it true that the number of I. M. S. officers retained by the Punjab Government is about 34, while according to the quota only 17 are required?

**Minister :** I have already answered this question on a previous occasion and whatever was stated therein was correct. Seventeen posts are reserved under the new rules and we have at present 34.

**Diwan Chaman Lall :** What steps is the Government taking to reduce that number?

**Minister :** In the first instance we are waiting for the orders from the Secretary of State, to which reference has been made by Dr. Gopi Chand, in his question and, secondly, I may make it clear that whereas 17 posts are reserved, the Government is not debarred from employing a larger number just at present, because on account of the previous orders we have 34. We can only reduce them when the time for retirement of individual officers comes and after the aforesaid instructions are received I would certainly like to go into this matter sympathetically.

**Dr. Gopi Chand Bhargava :** Has any reminder been sent to the Secretary of State?

**Minister :** Not from the Punjab Government.

**Pandit Shri Ram Sharma :** Does the Government intend to send a reminder?

**Lala Bhim Sen Sachar :** When was the representation to the Secretary of State made?

**Minister :** We have made no representation. It is for the Right Honourable Secretary of State to communicate what his decision is.

**Lala Duni Chand :** Is it a fact that something like 2 to 3 lakhs of rupees are being spent on paying these extra officers?

**Mr. Speaker :** This does not arise.

**Dr. Gopi Chand Bhargava :** May I know whether the Punjab Government have written to the military authorities to know when the instructions can be expected?

**Minister :** It is not the business of the Punjab Government to write to the military authorities direct.

**Pandit Shri Ram Sharma :** Has the Government courage to send a reminder?

**Dr. Gopi Chand Bhargava :** Has the Punjab Government written to the Government of India to know when these instructions are expected?

**Minister :** Not yet.

**Dr. Gopi Chand Bhargava :** Are you prepared to do so now ?

**Minister :** This is a request for action. If the honourable member comes to me privately I will let him know my views.

**Lala Bhim Sen Sachar :** Does the Government intend to consider the desirability of writing to the Government of India on this point ?

**Minister :** No, Sir.

**Lala Duni Chand :** On a point of order, Sir. This question relates to the reduction of I. M. S. officers. I want to know how much money.....

**Mr. Speaker :** I have already disallowed this question.

**Lala Duni Chand :** I am rising on a point of order.

**Mr. Speaker :** There is no point of order in that.

**Lala Duni Chand :** There is a point of order and it is this that my question clearly falls.....

**Mr. Speaker :** The honourable member is questioning my ruling, which he cannot do.

**Lala Duni Chand :** I will request the Honourable Speaker to pay proper attention to my request.....

**Mr. Speaker :** I have already ruled that the question as to how much has been spent on these officers, is inadmissible.

#### MUNICIPALITIES IN WHICH ELECTION SYSTEM DOES NOT PREVAIL.

\*1451. **Lala Bhim Sen Sachar :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether there are any municipalities in the province in which the election system has not so far been introduced ; if so, their names, the years in which they were constituted; the reasons for not introducing election system in them ;
- (b) whether the Government intends to introduce election system in those municipalities ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) There are only four municipalities in which the elective system has not so far been introduced :—

<i>Municipality.</i>	<i>Year in which constituted.</i>	
(1) Isakhel .. .. .	..	1885
(2) Kalabagh ... ..	..	1885
(3) Pindigheb .. .. .	..	1887
(4) Kasumpti .. .. .	..	1921

[Minister for Public Works.]

The peculiar circumstances of these places rendered them unsuitable for the elective system.

(b) Government have decided to introduce elective system at Kalabagh for the present.

**Lala Bhim Sen Sachar :** What rules and peculiar circumstances in the case of Pindigheb and Isakhel distinguished them from the Kalabagh Municipality ?

**Minister :** There are so many.

**Lala Bhim Sen Sachar :** Will the Honourable Minister be so good as to narrate only two of them ?

**Minister :** What is meant by two ?

**Lala Bhim Sen Sachar :** I want only two of them.

**Minister :** Do you mean peculiar conditions ?

**Lala Bhim Sen Sachar :** What are those peculiar conditions ?

**Minister :** They consist of too many factors and they cannot be explained in reply to a question.

**Lala Bhim Sen Sachar :** Does the Honourable Minister know that the population of Pindigheb exceeds 12,000, and that there are high schools there ?

**Minister :** Thank you for the information.

**Lala Bhim Sen Sachar :** Does or does not the Honourable Minister know that ?

**Minister :** I have said already that my reply is clear.

**Lala Bhim Sen Sachar :** Does the Honourable Minister know that there are high schools in Pindigheb ?

**Minister :** There may be. I am not in charge of Education.

**Lala Bhim Sen Sachar :** Does the Honourable Minister take the fact of education in a particular territory into consideration when he determines whether or not the elective system should be introduced in that particular territory ?

**Minister :** There are many considerations and education is one of them.

**Lala Bhim Sen Sachar :** Is education being given due consideration ?

**Minister :** If a school has been located there, it does not mean that the population has become educated.

**Lala Bhim Sen Sachar :** Does the Honourable Minister know that Pindigheb is a sub-division ?

**Minister :** Yes.

**Lala Bhim Sen Sachar :** Does the Honourable Minister know that there is a strong popular feeling among the people on this point that the elective system should be introduced in the Pindigheb Municipality ?

**Minister :** I am not aware of any genuine feeling. I know that attempts have been made to create a demand by outside agencies.

**Pandit Muni Lal Kalia :** Why are these places subject to this disability ?

**Minister :** Because they are backward areas.

A VETERINARY HOSPITAL FOR TOHANA, DISTRICT HISSAR.

**\*1452. Pir Akbar Ali :** Will the Honourable Minister for Development be pleased to state—

- (a) whether it is a fact that there is no veterinary hospital in 70 villages situated in police station Tohana, district Hissar.
- (b) whether it is a fact that the veterinary hospitals of Budhlada and Barwala in Hissar district are situated at a distance of 26 and 89 miles, respectively from Tohana ;
- (c) whether it is also a fact that most of the villages situated in police station, Tohana, are *barani* and inhabitants of these villages depend mainly on cattle-breeding and agriculture ;
- (d) if the answer to (a), (b) and (c) above be in the affirmative, the action the Government intends to take in the matter ?

**The Honourable Chaudhri Sir Chhotu Ram :** (a) Yes.

(b) The correct distance between Tohana-Budhlada and Tohana-Barwala is 26 and 24 miles, respectively.

(c) Yes.

(d) The starting of a veterinary hospital at Tohana is considered necessary, but the District Board, Hissar, has not been able to start it on account of the paucity of funds. There is, however, an outlying dispensary at Tohana under the charge of the veterinary assistant in charge of the veterinary hospital, Budhlada.

**\*1453. Cancelled.**

TAHSILDARS AND NAIB-TAHSILDARS.

**\*1454. Pir Akbar Ali :** Will the Honourable Minister for Revenue be pleased to lay on the table a statement showing district-wise the following particulars for the last 20 years :—

- (a) the names of persons with their fathers' names who were nominated for direct appointment as tahsildars from Ferozepore district ;
- (b) similar information as asked for in (a) above regarding persons who were nominated for direct appointment as naib-tahsildars, and in case no person has been nominated to the post of a tahsildar or a naib-tahsildar from the Ferozepore district during this period the reasons for the same ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) None. No suitable candidate for the post of tahsildar was forthcoming.

(b) A statement is laid on the table.

*Statement showing the names of persons with their father's names who were nominated for direct appointment as Naib-Tahsildars during the last 20 years from the Ferozepore district.*

Serial No.	Name.	Father's name.
1	M. Bishen Singh .. .. .	Bhai Lal Singh.
2	M. Ishar Singh .. .. .	S. Tittar Singh.
3	M. Atma Singh .. .. .	S. Badhawa Singh.
4	Lala Sangat Rai .. .. .	Lala Gajpat Rai.
5	S. Jasbir Singh .. .. .	S. Narain Singh.
6	M. Ata Muhammad Khan .. .. .	M. Sardar Khan.
7	S. Attar Singh .. .. .	S. Deva Singh.
8	Pandit Ram Saran Kalia .. .. .	Pandit Nathu Ram.

#### KANUNGOS PROMOTED TO RANK OF NAIB-TAHSILDAR IN FEROZEPORE DISTRICT.

**\*1455. Pir Akbar Ali :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that during the last 20 years no statutory agriculturist of the Ferozepore district has been promoted to the rank of a naib-tahsildar from that of a kanungo ; if so, the reasons for the same ?

**The Honourable Dr. Sir Sundar Singh Majithia :** Yes, because no suitable kanungos were available.

#### EXTRA ASSISTANT COMMISSIONERS.

**\*1456. Pir Akbar Ali :** Will the Honourable Premier kindly place on the table a statement showing district-wise the following particulars regarding persons nominated as Extra Assistant Commissioners in the Punjab during the last 10 years :

- (a) name, father's name, caste, whether statutory agriculturist or not;
- (b) whether it is a fact that no resident of the Ferozepore district has ever been nominated for the post of an Extra Assistant Commissioner (Executive Branch) by direct appointment from the agriculturists of the district during the last 20 years ; if so, the reasons for the same ?

**Parliamentary Secretary** (Mir Maqbool Mahmood) : (a) It is not the practice to disclose names, and Government do not propose to depart from it.

(b) In making appointments to services Government cannot undertake normally to take into consideration the district to which a candidate belongs.

**RESIDENTS OF FEROZEPUR DISTRICT NOMINATED FOR  
GOVERNMENT POSTS.**

**\*1457. Pir Akbar Ali :** Will the Honourable Premier kindly state—

(a) whether it is a fact that during the last 20 years no resident of the Ferozepur district belonging to the statutory agricultural class has ever been appointed by nomination to any Government post carrying a salary of Rs. 100 or upwards; if so, reasons for the same;

(b) whether the Government has ever issued any instructions for equal distribution of Government services in the residents of the various districts and tahsils of the Punjab; if so, will he kindly place a copy of the same on the table of the House?

**Parliamentary Secretary** (Mir Maqbool Mahmood) : (a) It is regretted that the information asked for is not readily available and the labour involved in its collection would hardly be commensurate with any public advantage to be gained.

(b) No. The attention of the honourable member is invited to the reply given to part (ii) of question No. \*481 put on the 21st June, 1937.

**Pandit Muni Lal Kalia :** Some time back it was stated by the Honourable Premier that questions which ask for information regarding representation in services community-wise and district-wise, etc., will not be answered or even will not be allowed to be put. May I know why in spite of that statement such questions are being put by a member of the Unionist Party himself and the time of the House is being wasted?

**Parliamentary Secretary :** There is nothing about any community, so far as I can see, in this question.

**Pandit Muni Lal Kalia :** Is it not a fact that hundreds of questions regarding communal proportions have been put by the members of the Unionist Party?

**Parliamentary Secretary :** More from the side of Opposition I am sure.

**EXTRA ASSISTANT COMMISSIONERS ACCEPTED FROM LIST A-II.**

**\*1458. Pir Akbar Ali :** Will the Honourable Premier please state—

(i) the number of candidates for the post of Extra Assistant Commissioner accepted from list A-II in the last 10 years in the province—

(a) from the ministerial establishment of the Secretariat;

[Pir Akbar Ali.]

- (b) from the ministerial establishment of the Financial Commissioner's office ;
- (c) from the divisional and district offices of the Punjab ;
- (ii) whether it is a fact that the divisional and district offices' establishments have not been given the share in the posts of Extra Assistant Commissioners due to them according to proportionate representation ; if so, the steps the Government propose to take in the matter ?

**Parliamentary Secretary** (Mir Maqbool Mahmood) : (i) (a) 18.

(i) (b) 4.

(i) (c) 1.

(ii) If by proportionate representation the honourable member means that the number of employees in different offices should be the basis on which selection should be made, I can only say that this would be quite impracticable.

#### ZILLADARS.

**\*1459. Pir Akbar Ali :** Will the Honourable Minister of Revenue kindly state community-wise the number of statutory agriculturist residents of the Ferozepore district who have been selected for direct appointment as zilladars during the last 15 years with the names of the tahsils to which they belonged ?

**The Honourable Dr. Sir Sundar Singh Majithia :**

1 Muhammadan.

2 Sikhs.

Tahsil Ferozepore.

#### PANCHAYAT OFFICERS.

**\*1460. Pir Akbar Ali :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the total number of panchayat officers in the Punjab ;
- (b) the number of those among them who belong to the statutory agriculturist classes ;
- (c) the steps so far taken to make up the deficiency of statutory agriculturists among the said officers ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) There are at present 19 panchayat officers in the Punjab, two posts out of the total number of 21 being vacant.

(b) This is being ascertained.

(c) Does not arise.

#### ACREAGE RATE.

**\*1461. Pir Akbar Ali :** Will the Honourable Minister for Revenue be pleased to state the steps so far taken by the present Government to give relief to the land-owners and agriculturists in respect of acreage rate ?

**The Honourable Dr. Sir Sundar Singh Majithia :** Government has called a conference to consider this and kindred problems.

LEASE OF AN AREA ON PANJAWA RAJBABA NEAR ABOHAR.

\*1462. **Pir Akbar Ali :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that near Abohar at Panjawa rajbaha there is an area of about 4,000 acres under the management of the Canal Department which was once used for absorbing surplus water of the above mentioned distributary ; if so, whether it has ever been given on lease ;

(b) if the answer to (a) above be in the affirmative, whether it has ever been leased out to the residents of the Ferozepore district by public auction ; if not, reasons for the same ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes, an area of about 2,000 acres leased for temporary cultivation.

(b) No. The land in question was leased out by public auction to an outsider whose bid was highest.

IRRIGATION RESEARCH INSTITUTE.

\*1463. **Pir Akbar Ali :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that the staff of the Punjab Irrigation Institute consists of gazetted and non-gazetted officers like other departments of the Government ; if so, community-wise proportion of its employees in both the sections and the steps the Government intends to take to make up the deficiency of the community which is poorly represented on the same ;

(b) whether the assistants in the institute are allowed to publish their names on the research papers published by the institute ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes. The community-wise proportion of gazetted and non-gazetted officers in the Irrigation Research Institute is as follows :—

*Gazetted Officers.*

Hindus ..	..	..	..	70.0
Muslims ..	..	..	..	10.0
Christians ..	..	..	..	20.0
Sikhs ..	..	..	..	..

*Non-Gazetted Officers.*

Hindus ..	..	..	..	48.8
Muslims ..	..	..	..	34.1
Sikhs ..	..	..	..	17.1
Christians ..	..	..	..	..

The case of the Research Institute is different from other normal cadres. Special aptitude and scientific attainments are necessary for these specialist posts and the men best qualified for the duties have been appointed ; caste and religion have not been taken into account when considering the

[Minister for Revenue.]

qualifications of the men at the time of selection. When vacancies occur men of the community in deficit, if candidates with requisite qualifications present themselves, will be considered for selection along with others.

(b) Yes.

WATER SUPPLY FOR IRRIGATION OF PRIVATE AGRICULTURAL HOLDINGS  
IN THE NEIGHBOURHOOD OF DHUNDI ESTATE.

**\*1464. Rai Bahadur Chaudhri Sham Lal :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that there is a canal in Dera Ghazi Khan district which supplies water for irrigation of Government estate of Dhundi ;
- (b) the total area of Dhundi estate ;
- (c) whether there are any private holdings in the neighbourhood of the Government Dhundi estate ; if so, their total area ;
- (d) whether it is a fact that water is refused for the irrigation of the said private holdings ; if so, reasons for the refusal ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) 111,067 acres.

(c) Yes ; there are private holdings in the neighbourhood of this estate but for any definite boundary not being mentioned their area cannot be given.

(d) No.

**Pandit Muni Lal Kalia :** A question standing in the name of a member who is a parliamentary private secretary is being asked. Is he not a Government member ? Only the other day you were pleased to give a ruling that members of the Government cannot ask questions.

**Mr. Speaker :** I have more than once pointed out that parliamentary secretaries can neither give notices of questions nor can they ask questions, while the parliamentary private secretaries can do both these things.

**Diwan Chaman Lall :** That is perfectly true, Sir. But a little while ago a parliamentary private secretary answered a certain question and you were pleased to rule that he could do so because he was a member of the Government.

**Mr. Speaker :** What I said was that a question which is ordinarily to be answered by a Minister can be answered by any member to whom the Minister may delegate his authority to do so. . . . He may be a parliamentary private secretary or any other member of this House.

**Pandit Shri Ram Sharma :** Can a Minister delegate power to answer a question to an honourable member who himself has given notice of that question ?

**Mr. Speaker :** I will decide that point, when it arises.

**DRINKING WATER FACILITIES FOR DAJAL IN DERA GHAZI KHAN DISTRICT.**

**\*1465. Rai Bahadur Chaudhri Sham Lal :** Will the Honourable Minister of Education be pleased to state—

- (a) whether it is a fact that the inhabitants of Dajal in Dera Ghazi Khan district have for a very long time been suffering for want of good drinking water ;
- (b) whether it is a fact that the Dajal Town Committee supported by the Deputy Commissioner, Dera Ghazi Khan, and the Commissioner, Multan Division, approached Government on several occasions to help them in providing facilities for good drinking water ; if so, the action, if any, taken by the Government in the matter and also reasons for the delay in taking action ?

**The Honourable Mian Abdul Haye :** (a) Yes.

(b) It is true that the Dajal Town Committee approached Government for help, but no feasible scheme for providing good drinking water supply for Dajal town has so far been submitted by the Committee for the consideration of Government. The Superintending Engineer, Public Health Circle, Punjab, has, however, under consideration at present a scheme prepared by the Irrigation Engineer (Hill Torrents), Dera Ghazi Khan, and submitted by the Commissioner, Multan division. Could this scheme be regarded as practicable from a technical point of view it will be considered by the Sanitary Board in due course.

**Rai Bahadur Chaudhri Sham Lal :** Is it a fact that water there is unfit for human consumption and in view of that will the Government kindly expedite the matter ?

**Minister :** I would not go so far as to say that the water is unfit for human consumption. I feel, however, that there are some difficulties and the Government is prepared to consider the matter sympathetically.

**Lala Bhim Sen Sachar :** Has the Honourable Minister taken the opinion of an expert on the basis of which he says that water is not unfit for human consumption ?

**Minister :** I would not venture any opinion and I only said that I cannot go so far as to declare that water is unfit for human consumption.

**Rai Bahadur Chaudhri Sham Lal :** Is the Honourable Member aware that water is used from one and the same tank by animals as well as human beings ?

**Minister :** I am prepared to take this information from the honourable member.

TRANSHIPMENT OF GOODS AT MITHANKOT IN DERA GHAZI  
KHAN DISTRICT.

**\*1466. Rai Bahadur Chaudhri Sham Lal :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether he is aware of the fact that Mithankote in Dera Ghazi Khan district is a great centre of trade ;
- (b) whether it is a fact that in carrying goods from Mithankote to Bahawalpur one has to cross the river Indus which at this place is very wide and that there are no proper arrangements for the transhipment of goods and that in the summer season a considerable loss is caused by the sinking of cargo boats ;
- (c) if the answer to (a) and (b) above be in the affirmative, the action the Government has taken or contemplates to take in the matter ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) Yes.

(b) Yes, the portion of the river Indus at Mithankot is wide. A ferry service under the management of the District Board of Dera Ghazi Khan exists at the place and proper arrangements are made for the transhipment of goods and all possible precautions are taken to guard against accidents which are very few in the case of the ferry service managed by the District Board. Some traders of Mithankot, however, have been indulging in unauthorised ferrying of goods and in these cases accidents have been more frequent. The persons concerned are being prosecuted.

(c) The question of employing a ferry steamer during the summer months was considered but it was decided that the volume of trade was not large enough to make the steamer self-supporting.

COMMUNICATIONS IN DERA GHAZI KHAN DISTRICT.

**\*1467. Rai Bahadur Chaudhri Sham Lal :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that Dera Ghazi Khan is the most backward district so far as the development of communication is concerned ;
- (b) whether the Government contemplates to take any action to improve the communications in this district ; if so, what are their plans in this connexion ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) No.

(b) A road development programme is under preparation. This will include the metalling and improvement of certain roads in Dera Ghazi Khan district. The details, however, have not been worked out. The Punjab Government is, therefore, not in a position to furnish complete information on this subject at this stage.

**Lala Duni Chand :** Is it true that if communications are developed in Dera Ghazi Khan district, that will give employment to lot of people ?

**Minister :** It always does.

**Lala Duni Chand :** Is it true that people of Dera Ghazi Khan are extremely poor?

**Minister :** Yes.

**Lala Duni Chand :** Is the Honourable Minister aware of the fact that out of 1,000 or 1,200 prisoners going to jails in the Dera Ghazi Khan district every year, a majority of them go there simply to get bread? Is it not a fact that they cannot get bread outside?

**Minister :** I am not aware of it. It may be honourable member's opinion.

**Lala Duni Chand :** Will he make enquiries into that fact?

**Minister for Finance :** What fact?

**Lala Duni Chand :** That lot of people go to jails because they cannot get bread outside.

**Mr. Speaker :** That is a request for action.

#### HOSPITALS AND DISPENSARIES IN DERA GHAZI KHAN DISTRICT.

**\*1468. Rai Bahadur Chaudhri Sham Lal :** Will the Honourable Minister for Education be pleased to state—

- (a) the number of hospitals and dispensaries maintained by the Punjab Medical Department in the Dera Ghazi Khan district;
- (b) the details of the programme of Government for providing medical relief on a larger scale in the said district?

**The Honourable Mian Abdul Haye :** (a) 20, of which 4 are maintained by Government and 16 by the respective local bodies.

(b) Under the scheme for expansion of medical relief, the District Board of Dera Ghazi Khan was allotted 6 rural dispensaries. The District Board has completed its quota. No further programme has been drawn up.

#### ARRANGEMENTS FOR DEALING WITH MATERNITY CASES IN DERA GHAZI KHAN DISTRICT.

**\*1469. Rai Bahadur Chaudhri Sham Lal :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that there are no proper arrangements for dealing with maternity cases in the Government hospitals in the Dera Ghazi Khan district;
- (b) the measures the Government intends to take to provide facilities in connexion with maternity cases in the said hospitals?

**The Honourable Mian Abdul Haye :** (a) There are two Government hospitals in the Dera Ghazi Khan district, one at the district headquarters and the other at Taunsa, and at both of these institutions proper arrangements exist for dealing with maternity cases. A woman sub-assistant surgeon and nurse-dais are employed in each of the two hospitals.

(b) Does not arise.

**Lala Bhim Sen Sachar :** How many maternity cases can be attended to at the same time in these two hospitals?

**Minister :** I cannot reply to such a complicated question of the honourable member. If he puts it on paper, I shall be delighted to supply the information required.

**Lala Bhim Sen Sachar :** The Honourable Minister was pleased to say that there are proper arrangements. I want to know the nature of those arrangements. How many maternity cases can be dealt with at one time in these hospitals?

**Minister :** I have indicated the number of staff employed there but I do not know the number of cases that can be handled there at one time.

#### PROTECTION OF ROJHAN AGAINST RIVER ACTION.

**\*1470. Rai Bahadur Chaudhri Sham Lal :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that the town of Rojhan in the Dera Ghazi Khan district is in great danger of being washed away by the action of river Indus ;

(b) the steps the Government intends to take to protect this town against river action ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) There is no immediate danger, the river is a mile away.

(b) Does not arise.

#### WATERLOGGED AREA NEAR JAMPUR.

**\*1471. Rai Bahadur Chaudhri Sham Lal :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that the area round about Jampur in Dera Ghazi Khan district is waterlogged ; if so, the action the Government intends to take in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** The area round Jampur City is below the normal Indus River flood level and during the flood season some water stands in the pits and low ground around the city. Local effort is needed to fill up these pits and depressions.

#### AREAS IN THE NEIGHBOURHOOD OF SITPUR IN MUZAFFARGARH DISTRICT.

**\*1472. Rai Bahadur Chaudhri Sham Lal :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that by the construction of the Haveli Project the areas in the neighbourhood of Sitpur in the Muzaffargarh district will be adversely affected ; if so, what measures do the Government propose to take in order to prevent the injury to the interests of the people of the said area ?

**The Honourable Dr. Sir Sundar Singh Majithia :** The areas in the neighbourhood of Sitpur in the Muzaffargarh district get their irrigation from the Indus Inundation Canals and will not be affected by the construction of the Haveli Project.

AREA OF LAND IN LEIAH TEHSIL WHICH WILL BECOME CULTIVABLE  
UNDER THE HAVELI PROJECT.

**\*1473. Rai Bahadur Chaudhri Sham Lal :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the area of land to be irrigated by the Haveli Project in the Leiah tahsil in Muzaffargarh district ;
- (b) the area of Leiah tahsil which will not be commanded by the Haveli Project ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) and (b). The whole of the Leiah tahsil of the Muzaffargarh district is outside the limits of irrigation of the Haveli Project.

OMISSION TO NOMINATE A SIKH FOR MUNICIPAL COMMITTEE,  
FAZILKA.

**\*1474. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Public Works be pleased to state whether it is a fact that no Sikh has been nominated this time to the Fazilka Municipal Committee in which the population of the Sikhs is fairly large ; if so, the reasons for the same ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** No nominations have yet been made owing to the postponement of the general elections of the Committee.

VACANCY FOR POST OF PROFESSIONAL TAX OFFICER, ETC.,  
FEROZEPUR DISTRICT BOARD.

**\*1475. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that the posts of Professional Tax Officer and of Head Clerk, Ferozepore District Board, have recently fallen vacant ;
- (b) whether it is also a fact that the Deputy Commissioner, Ferozepore, interviewed all the candidates for these posts himself ;
- (c) whether there was any resolution of the District Board asking the Deputy Commissioner to do that ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) Yes.

(b) No. The selected candidates were interviewed by a special sub-committee.

(c) Does not arise.

**Nawab Khan Shah Nawaz Khan :** Did the District Board delegate powers to the Chairman and the two Vice-Chairmen to interview all the candidates ?

**Minister :** I presume so. The Sub-committee must have been authorised to do this work.

## BENCH OF HONORARY MAGISTRATES AT FEROZEPORE.

**\*1476. Lieutenant Sodhi Harnam Singh :** Will the Honourable Premier be pleased to state whether Government intends to appoint a Bench of Honorary Magistrates at Ferozepore in the near future ; if so, the number of Magistrates proposed to be appointed for the Bench and number of Sikhs, Hindus and Muhammadans proposed to be included among them ?

**Parliamentary Secretary :** (Mir Maqbool Mahmood) : Proposals for the establishment of a Bench have been made, and Government have given permission for four gentlemen to be given the usual preliminary training. Out of the four, two are Muslims and two Hindus.

**Mian Abdul Aziz :** Will the Government please consider the necessity of setting aside this system of appointment of honorary magistrates in the province ?

**Parliamentary Secretary :** A matter of policy cannot be asked at question time.

**Lala Duni Chand :** Before appointing a bench of the honorary magistrates, will the Government see that the honorary magistrates appointed are capable of understanding the law which they will be called upon to administer ?

**Pandit Muni Lal Kalia :** Has any representation been made by the residents of this place for the appointment of a bench of honorary magistrates ?

**Parliamentary Secretary :** If the honourable member will give notice, I shall enquire into that question.

**Lala Bhim Sen Sachar :** Would the Government take into consideration the question of abolition of posts of honorary magistrates ?

**Rai Bahadur Mr. Mukand Lal Puri :** What indication is there for increasing this public menace ?

**Sardar Hari Singh :** On a point of order. Just now.....

**Rai Bahadur Mr. Mukand Lal Puri :** My question has not been answered. The institution of honorary magistrates is a nuisance. (*Voices : Order, order.*)

**Sardar Hari Singh :** Only a moment ago the Parliamentary Secretary was pleased to say in reply to a supplementary question that questions of policy cannot be asked. I think that he is labouring under a misapprehension and dreaming of yesterday's discussion. Under the present rule the question of policy can be answered.

**Minister for Finance :** Who says so ?

**Sardar Sampuran Singh :** There was the question of training.

**Parliamentary Secretary :** The question of training of suitable candidates has not been discussed.

**Rai Bahadur Mr. Mukand Lal Puri :** Does the Government undertake training of honorary magistrates ? (*Voices : Yes.*)

**Rai Bahadur Mr. Mukand Lal Puri :** Is it desirable to spend money on training ?

**Mr. Speaker :** Order, Order.

**\*1477-78. Cancelled.**

SYSTEM OF TUBE WELLS IN PUNJAB.

**\*1479. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Revenue be pleased to state —

- (a) the date when Mr. Montagu was appointed on special duty to investigate the possibilities of the system of tube wells in the Punjab ;
- (b) the amount of work done by that officer up till now ;
- (c) the approximate time he is expected to take to complete this investigation ;
- (d) whether Government intends to consult the engineers from United Provinces who are dealing with the question of tube wells ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Mr. Montagu was appointed on special duty to investigate the possibilities of tube-wells in the Punjab and entered upon his duties on 5th of April, 1937.

(b) Mr. Montagu has been employed on an examination of data in connection with tube-wells and in general supervision of experiments in this connection. He has also been employed in preliminary work in connection with two or three tube-well projects.

(c) It is hoped that his Report will be available in the course of the next few months.

(d) Officers in the Irrigation Branch and particularly, Mr. Montagu, are in close touch with the Development (Tube-well) Administration in United Provinces.

COMMISSION EARNED BY OFFICIAL RECEIVERS.

**\*1480. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister of Finance be pleased to state the amount of commission earned by each of the official receivers (including the special official receivers), in the province in the year 1936 and in the year 1937 separately ?

**The Honourable Mr. Manohar Lal :** I regret that reply to this question is not yet ready.

HONORARY MAGISTRATES AND CIVIL JUDGES.

**\*1481. Lieutenant Sodhi Harnam Singh :** Will the Honourable Premier be pleased to lay on the table of the House a statement showing—

- (a) the total number of Honorary Magistrates and Civil Judges in the Punjab with the educational qualifications of each of them ;
- (b) the minimum educational qualification already fixed for the appointment of Honorary Magistrates and Civil Judges ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) The honourable member will find this information in last July's issue of the Half-yearly Civil List (Part II). I regret that I cannot undertake to give further particulars regarding individual magistrates beyond those published in the list.

[Premier.]

(b) The attention of the honourable member is invited to Rule 12 of the Rules for the Appointment of Honorary Magistrates and Honorary Subordinate Judges, a copy of which is laid on the table.

*Copy of Rule 12 of the Rules for the Appointment of Honorary Magistrates and Honorary Subordinate Judges.*

In forwarding proposal for first appointment as Honorary Magistrates or Honorary Subordinate Judges, Local Officers should always furnish sufficient information to enable Government to judge whether the requirements of these rules have been complied with or not. Cases have frequently occurred in which little or no information is given as to the qualifications of candidates generally, and in particular as to their financial position and relationship to Honorary Magistrates already exercising powers as such in the same area or district. The age or approximate age of the person proposed should always be definitely specified, and particular attention paid to the fact whether the candidate is able to read and write English or the vernacular fluently.

The place where it is intended that the Honorary Magistrate or Subordinate Judge will hold his court must also be stated, together with the date of expiry of his present appointment, if any, and the fact that he has, or has not, satisfactorily undergone preliminary training.

NON-AGRICULTURIST HINDU NAIB-TAHSILDARS TAKEN FROM  
THE AMBALA DIVISION.

**\*1482. Seth Ram Narain Virmani :** Will the Honourable Minister for Revenue be pleased to state the number of non-agriculturist Hindus recommended by the deputy commissioners of the districts in the Ambala division for naib-tahsildarship this year and the action taken by the Commissioner and the Government on their recommendations?

**The Honourable Dr. Sir Sundar Singh Majithia :** First part Nil.  
Second part does not arise.

SUB-DIVISIONAL OFFICERS IN THE IRRIGATION BRANCH OF THE  
PUBLIC WORKS DEPARTMENT.

**\*1483. Seth Ram Narain Virmani :** Will the Honourable Minister for Revenue be pleased to state the number of Hindu, Sikh and Muslim sub-divisional officers separately in the Irrigation Branch of the Public Works Department, Punjab, on the 1st of January, 1929, and on the 1st of January, 1937?

**The Honourable Dr. Sir Sundar Singh Majithia :—**

		<i>Hindus.</i>	<i>Muslims.</i>	<i>Sikhs.</i>	<i>Total.</i>
On 1st January, 1929	..	111	81	16	158
On 1st January, 1937	..	70	21	8	99

RETRENCHED OFFICERS OF THE IRRIGATION BRANCH.

**\*1484. Seth Ram Narain Virmani :** Will the Honourable Minister for Revenue be pleased to state the number of Hindu, Sikh and Muslim officers separately in the Irrigation Branch of the Public Works Department, Punjab, retrenched or otherwise removed from service during the period from 1st January, 1929, to 1st January, 1937?

**The Honourable Dr. Sir Sundar Singh Majithia :**

Hindus	..	..	..	..	..	19
Muslims	..	..	..	..	..	12
Sikhs	..	..	..	..	..	5

Of these, 1 Hindu, 2 Muslims and 2 Sikhs have since been re-employed.

**EXCISE INSPECTORS AND SUB-INSPECTORS.**

**\*1485. Seth Ram Narain Virmani :** Will the Honourable Minister for Revenue be pleased to state—

- whether it is a fact that excise inspectors and sub-inspectors were considered eligible for selection for the extra assistant commissioner's post before the year 1928 ; if so, the number of such inspectors and sub-inspectors of excise who were selected during the period from 1914 to 1928 ;
- reasons which led the Government to stop the selection of excise inspectors and sub-inspectors for the extra assistant commissioner's post ;
- whether it is a fact that the recruitment of the excise inspectors is not direct as it was before the year 1920 ;
- the number of excise sub-inspectors who were promoted to the rank of excise inspector in the years 1935 and 1936, separately, stating in the case of each his length of service ;
- the number of excise superintendents in the province ;
- the number of such sub-inspectors and inspectors in the Excise Department who possess the degree of B. A. or M. A. ;
- whether the Government intends to select Extra Assistant Commissioners from the graduate sub-inspectors and inspectors of the Excise Department ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes. Nine.

(b) Service in the Excise Department was not considered a suitable qualification for promotion to the Provincial Civil Service.

(c) Yes.

(d) (i) In the year, 1935, two Excise Sub-Inspectors were promoted to the rank of Inspector, the length of their service in the excise department at the time of promotion being 20 and 22 years, respectively.

(ii) In the year, 1936, four Excise Sub-Inspectors were promoted as Inspectors and their length of service was :—

Two had 19 years' service.

One had 21 years' and

One had 23 years' service.

(e) Two.

(f) Twenty-eight.

(g) The matter has not yet been considered by Government.

**NON-MUSLIM REPRESENTATION IN PUNJAB GOVERNMENT AND JAIL PRESSES.**

**\*1486. Seth Ram Narain Virmani :** With reference to question No. \*6058<sup>1</sup> put by Rai Bahadur Lala Sewak Ram on the 9th of November, 1936 and its answer will the Honourable Minister for Revenue be pleased to state—

- (a) the changes that have occurred since then in the representation of the various communities under various heads mentioned in that question ;
- (b) the names of the members of Government who have remained in charge of the Punjab Government and the Jail Presses from 1925 to 31st of March, 1937 ;
- (c) the action which has since been taken by the Government to give an adequate representation to the non-Muslims in the establishments of those presses ;
- (d) whether it is a fact that in the application forwarded by the officiating superintendent there were names of some Hindus and Sikhs who were shown as members of the Union mentioned therein ;
- (e) whether it is a fact that a recommendation was made to the Government by the officiating superintendent of the Punjab Government Printing Press for the recognition of the Punjab Government Press Workers' Union ;
- (f) whether it is a fact that an application was submitted to the Government through the authorities of the Punjab Government Press by the Hindu Employees' Association stating that the Hindus and Sikhs whose names were mentioned in the application referred to in (d) above were no longer members of the said Union ;
- (g) if the answer to (f) above be in the affirmative, the action the Government has taken in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) and (b) Statements are laid on the table.

(c) If any disparity comes to light, efforts are made in the giving of appointments, to remove it.

(d) and (f) If the honourable member will specify the particular application intended, the giving of an answer to these parts of the question will be considered.

(e) No.

(g) Does not arise.

**Lala Duni Chand :** Is it true that there is a keen feeling among all the three communities that the best young men available from all the three communities are not admitted into the services and that only third and fourth class young men are admitted to the services ?

**Minister :** Does not arise out of the question.

**Lala Duni Chand :** It directly arises out of part (a).

**Lala Bhim Sen Sachar :** Does membership of a Congress committee carry any weight with the Government in the matter of appointments to these posts ?

**Minister :** Not necessarily.

**Lala Bhim Sen Sachar :** If a person is a Congress member, will it be a qualification in the eyes of Government ?

**Minister :** We have never made any such distinction.

**Lala Duni Chand :** Is it true that in the matter of recruitment to services favouritism and nepotism run supreme in the Punjab ?

**Minister :** No.

**Lala Bhim Sen Sachar :** Will the fact that a person is a member of a Congress committee disqualify him for consideration for appointment by Government ?

**Minister :** It does not arise out of the question.

**Lala Duni Chand :** Is it true that relations of high placed men in the province easily get service as compared with those who are not so fortunate ?

**Minister :** I have no such information.

**Lala Duni Chand :** Will the Honourable Minister collect information on the point ?

**Minister :** I am not prepared to do it.

**Mian Abdul Aziz :** Is it correct that directly or indirectly recommendations are made on the 'phone by the highest officers to the appointing authorities ?

**Minister :** I know of no such recommendation.

**Mian Abdul Aziz :** May I point out one instance in which a Minister happened to do it ?

**Minister :** No, Sir, never to my knowledge.

#### Statements.

(a) A comparative statement of changes is given below :—

1. *Total number of employees in the Punjab Government Press communitywise.*

	1936.	1937.
(a) Europeans, Anglo-Indians and Christians	14	16
(b) Muslims	352	369
(c) Hindus	138	131
(d) Sikhs	19	31
(e) Others	6	6
Total	529	553

2. *Total number of employees in the Jail Presses communitywise.*

	1936.	1937.
(a) Europeans, Anglo-Indians and Christians	2	1
(b) Muslims	28	30
(c) Hindus	12	11
(d) Sikhs	3	3
Total	45	45

## [Minister for Revenue.]

## 3. The number of employees communitywise in the Government Press.

					1936.	1937.
(a) Composing Section—						
Muslims	..	..	..	..	99	98
Hindus	..	..	..	..	50	44
Sikhs	..	..	..	..	6	11
Europeans, Anglo-Indians, etc.	..	..	..	..	5	5
Total					160	158

					1936.	1937.
(b) Section-holders and Assistant Section-holders—						
Muslims	..	..	..	..	10	10
Hindus	..	..	..	..	1	1
Sikhs	..	..	..	..	..	..
Europeans and Anglo-Indians and Christians	..	..	..	..	..	..
Total					11	11

					1936.	1937.
(c) Mono Operators—						
Muslims	..	..	..	..	6	6
Hindus	..	..	..	..	..	..
Sikhs	..	..	..	..	..	..
Anglo-Indians and Christians	..	..	..	..	..	..
Total					6	6

					1936.	1937.
(d) Mono Casters—						
Muslims	..	..	..	..	4	7*
Hindus	..	..	..	..	1	1
Sikhs	..	..	..	..	..	..
Anglo-Indians and Christians	..	..	..	..	..	..
Total					5	8

\*This includes 3 Foundry men not included by oversight previously.

					1936.	1937.
(e) Lino Operators—						
Muslims	..	..	..	..	2	2
Hindus	..	..	..	..	1	1
Sikhs	..	..	..	..	..	..
Anglo-Indians and Christians	..	..	..	..	1	1
Total					4	4

The number of employees communitywise on the technical establishment of Jail Presses remain the same.

(b) 1925	..	..	..	The Honourable Sardar Bahadur Sir Sundar Singh Majithia, C.I.E.
1926 (upto 30th June, 1927)	..	..	..	The late Honourable Sir Fazl-i-Husain.
1st July, 1927 to 21st November, 1927	..	..	..	The Honourable Sir Abdul Qadir.
From 22nd November, 1927 to 1928, 1929 and 1930.	..	..	..	The late Honourable Sir Fazl-i-Husain.
1931, 1932-33	..	..	..	The Honourable Khan Bahadur Major Sirdar Sir Sikander Hyat-Khan, K.B.E.
1934	..	..	..	Honourable Sir Miles Irving, C.I.E.
1935	..	..	..	Khan Bahadur Nawab Muzaffar Khan, C.I.E.
1936 (up to 31st March, 1937)	..	..	..	The Honourable Khan Bahadur Major Sirdar Sir Sikander Hyat-Khan, K.B.E.

## RETIREMENT OF EMPLOYEES OF LOCAL BODIES.

**\*1487. Seth Ram Narain Virmani :** Will the Honourable Minister for Public Works be pleased to state with reference to the answer given to question No. 584<sup>1</sup> starred asked in the last Assembly session, the steps Government have since taken in the matter of the retirement of such employees of the local bodies as have been mentioned therein?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** The whole question of unemployment is being examined by a special Committee. The matter of the terms of employment of the servants of local bodies is to be considered after the Committee have made their report.

**Pandit Muni Lal Kalia :** When is that report expected?

**Minister :** Better address the members of the Committee.

**Pandit Muni Lal Kalia :** What is your opinion with regard to this unemployment committee?

**Minister :** I have no opinion to offer.

**Pandit Muni Lal Kalia :** Is there no information?

**Minister :** There is no information as to when they are likely to finish their work.

—

**SARDAR KARTAR SINGH, JUNIOR VICE-PRESIDENT, DISTRICT BOARD, FEROZEPORE.**

**\*1488. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether the Government is aware of the fact that Sardar Kartar Singh the Junior Vice-President, Ferozepore District Board, imposed professional tax on many Sikh voters of the constituency of Ferozepore North, Sikh;
- (b) whether the Government is aware of the fact that those gentlemen who were assessed by Sardar Kartar Singh submitted applications to the Deputy Commissioner and the Chairman of the District Board, Ferozepore, stating therein that as they did not vote for Sardar Kartar Singh he assessed them for professional tax otherwise they could not have been assessed;
- (c) whether it is a fact that the Deputy Commissioner sent for the report of the profession tax officer of the District Board and that of Sardar Kartar Singh; if so, will he please lay copies of the said reports on the table;
- (d) if the answer to (b) above be in the affirmative, the action the Deputy Commissioner, Ferozepore, took on the application addressed to him?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) A special sub-committee, consisting of the two Vice-Chairmen of the Board and not Sardar Kartar Singh alone assessed this tax.

(b) Yes.

[Minister for Public Works.]

(c) Yes—the Deputy Commissioner, in his capacity of Chairman of the Board, sent for the reports of the Profession Tax Officer and of Sardar Kartar Singh. It is not in the public interest to lay copies of the reports on the table.

(d) The Chairman of the Board had notices issued to the proposed assesseses to file their objections, if any, to the competent authority, within 15 days.

**Lala Duni Chand :** Is it true that there is a general complaint all over the Punjab that the profession tax is imposed by the interested people out of personal spite ?

**Minister :** Not to my knowledge.

**Lala Duni Chand :** Is he not aware of the fact that many of those people who took part in the last elections on the side of the Congress have been punished in this way ?

**Mr. Speaker :** That question does not arise.

#### BAHGA PURANA NIHAL SINGHWALA ROAD.

**\*1489. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that the zamindars of Nihal Singhwala *ilaga* in district Ferozepore gave a guarantee to the District Board to the effect that if they undertook to metal the Bahga Purana-Nihal Singhwala road they would supply all the unskilled labour ;

(b) whether the said zamindars have fulfilled this term ; and explain what guarantee is there that the zamindars will continue to fulfill the said term ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) Yes.

(b) The zamindars have already partly fulfilled their terms and are faithfully co-operating with the District Board and rendering every possible help in the execution of the work. Except a verbal assurance given at a meeting of the leading zamindars of the *ilaga* held on the 23rd July, 1937, under the chairmanship of the Sub-Divisional Officer, Moga, no other guarantee was taken from the zamindars.

#### S. MEHAR SINGH, VETERINARY ASSISTANT.

**\*1490. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Development be pleased to state—

(a) whether it is a fact that Sardar Mehar Singh, Veterinary Assistant Surgeon was posted at Zira ; if so, how long he remained there in charge of the veterinary hospital and when he was transferred and at whose instance ;

(b) whether it is a fact that some inhabitants of Zira made a representation against him ; if so, a copy of the same may be laid on the table of the House with the names of the signatories ?

**The Honourable Chaudhri Sir Chhotu Ram :** There is no Veterinary Assistant or Veterinary Assistant Surgeon of that name in the Civil Veterinary Department. If the honourable member will kindly give the correct name and the year to which he refers, an answer to his question can be given.

ENLISTMENT OF PERSONS FROM FATEHPUR PUNDRI IN GOVERNMENT SERVICE.

**\*1491. Lala Deshbandhu Gupta :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that on 15th July, 1933, through their letter No. 99 orders were passed by Government forbidding enlistment of any person belonging to Fatehpur Pundri (District Karnal) in the Revenue Department of the Government ;
- (b) whether Government are aware of the fact that exceeding the limited scope of the orders the local authorities have banged the doors of all Government services in the face of the residents of Fatehpur village, with the result that during all these years many young men had to sacrifice their careers ;
- (c) whether Government have received any representation on behalf of the inhabitants of Fatehpur appealing that the said order be set aside ; if so, the action taken on that representation ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) No.

(c) Yes and it is under consideration.

ARREST OF SARDAR AMAR SINGH BAMRAL.

**\*1492. Lala Deshbandhu Gupta :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that one Sardar Amar Singh Bamral was arrested at Lahore on 14th October, 1937, while staying in the Falettis Hotel ;
- (b) whether it is a fact that the said Sardar Amar Singh Bamral was beaten by the police while being escorted from the court of Mr. Isar to the Lahore Jail on the 15th October, 1937 ; if so, why ;
- (c) whether he was given anything to eat on the night of 15th October ; if not, why not ;
- (d) whether it is a fact that the said Sardar Amar Singh Bamral was again beaten by a constable No. 34 and Khera, a habitual convict, on Sunday the 17th October, 1937, in the Lahore Jail ;
- (e) whether it is also a fact that his hair was forcibly removed by constable No. 34 and Khera and one other constable ;
- (f) whether the said Sardar Amar Singh Bamral made any representation to the Deputy Commissioner, Lahore, about the beating given to him on 17th October, 1937, and also filed a

[Lala Deshbandhu Gupta.]

medical certificate by Dr. Dharam Vir testifying to the injuries received by him; if so, the action taken on that representation?

**The Honourable Major Sir Sikander Hyat-Khan:** (a) Amar Singh was first arrested on the 14th October under section 34 of the Police Act, 1861, for riotous and unseemly conduct on the Lahore Mall. He was released on the same day on a personal bond attested by his brother Mohindra Singh. On the afternoon of the following day he was again arrested on the basis of a letter written to the police by Mohindra Singh in which it was stated that Amar Singh had become insane. An order under section 16 of the Indian Lunacy Act, 1912, was made by the Additional District Magistrate on the same day and Amar Singh was conveyed by the police direct from the magistrate's court to the Punjab Mental Hospital, where he remained until the 19th October when he was handed over into the care of another of his brothers, a pleader.

(b) Amar Singh was never taken to the Jail nor was he beaten by the police at any time.

(c) On the evening of the 15th October he was offered ordinary food in the hospital as well as milk, but refused to take it. On the morning of the 16th he was again offered food and on his repeated refusal was medically fed.

(d) No. He was never in the Jail at all.

(e) No.

(f) On the 29th October, after his discharge, Amar Singh sent a letter accompanied by a medical certificate complaining that he had been beaten in the Punjab Mental hospital on the 17th October. An investigation into this was begun by the Additional District Magistrate but on representations by the pleader brother, who assured the magistrate that no further action was necessary, the papers were filed.

EXECUTIVE OFFICER, MUNICIPAL COMMITTEE, LUDHIANA.

**\*1493. Lala Deshbandhu Gupta:** Will the Honourable Minister of Public Works be pleased to state—

(a) whether it is a fact that the Executive Officer, Municipal Committee, Ludhiana, sanctions estimates for works without any authority from the committee;

(b) whether it is also a fact that this irregularity was pointed out by the Examiner, Local Fund Accounts, when he examined the accounts of the said Committee last; if so, the reasons why this irregularity is being allowed to continue even after it was pointed out by the said Examiner?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana:** (a) No.

(b) No.

## EXECUTIVE OFFICER, LUDHIANA MUNICIPALITY.

**\*1494. Lala Deshbandhu Gupta :** Will the Honourable Minister of Public Works be pleased to state whether it is a fact that the Executive Officer, Ludhiana Municipality, without obtaining previous orders of the Committee destroys unserviceable articles of his own accord ; if so, why ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** The Auditors objected that the Executive Officer of the Municipal Committee, Ludhiana, was not authorised to order the destruction of useless material of the Committee. The necessary authority has since been granted by the Committee.

## EXECUTIVE OFFICER, LUDHIANA MUNICIPALITY.

**\*1495. Lala Deshbandhu Gupta :** Will the Honourable Minister of Public Works be pleased to state whether it is a fact that the Executive Officer, Ludhiana Municipality, passes orders for incurring expenditure up to Rs. 50 without there being any sanction of the Commissioner empowering him to do so ; if so, whether Government propose to make an inquiry into the matter with a view to taking suitable action in the matter ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** Yes. The Executive Officer, Municipal Committee, Ludhiana, has been authorised by the Committee to incur expenditure up to Rs. 50 only for which sanction of the Commissioner, Jullundur division, is not necessary. No action is called for.

BYE-LAWS FOR THE INSPECTION OF RECORDS OF MUNICIPAL COMMITTEE,  
LUDHIANA.

**\*1496. Lala Deshbandhu Gupta :** Will the Honourable Minister of Public Works be pleased to state whether it is a fact that in the Bye-Laws for the inspection of Records the words " Executive Officer " have been inserted instead of " President " as the authority to whom the appeals should be made in contravention of the decision of the Ludhiana Municipal Committee; if so, whether Government propose to make an inquiry into the matter with a view to taking suitable action ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** Yes. The mistake was due to oversight. Suitable action is being taken to rectify the mistake and Government do not propose to take any further action in the matter.

## NUH MEO HIGH SCHOOL EMBEZZLEMENT.

**\*1497. Lala Deshbandhu Gupta :** Will the Honourable Minister of Education be pleased to state whether Government have recently received any complaints against the management of the Nuh Meo High School regarding embezzlement of the School funds to the extent of several thousand rupees ; if so, whether any inquiry, departmental or otherwise, has been held into the allegations ; and, if so, with what result ?

**The Honourable Mian Abdul Haye :** Yes. Government is looking into the matter, and the Accountant-General has been requested to depute a suitable officer to hold a special audit of the accounts of the Brayne Meo High School, Nuh. Suitable action will be taken when the audit report has been received.

#### TRAVELLING ALLOWANCE OF MINISTERS.

**\*1498. Lala Deshbandhu Gupta :** Will the Honourable Premier be pleased to state whether Government incurred any expenses by way of Travelling Allowance of the visit of the Honourable Ministers of Revenue and Development to Rupar in July 1937 ; if so, the amount so incurred ?

**The Honourable Major Sir Sikander Hyat-Khan :** The reply is in the negative.

#### BAN ON THE POLITICAL ACTIVITIES OF MANAGEMENT, ETC., OF DENOMINATIONAL SCHOOLS.

**\*1499. Lala Bhim Sen Sachar :** Will the Honourable Minister for Education be pleased to state whether the present ministry has considered the question of removing the ban on the management or staff of a recognised school disallowing them to take part in any political agitation or to permit their pupils to attend political meetings ; if so, with what result ?

**The Honourable Mian Abdul Haye :** (a) No.

(b) Does not arise.

#### POLITICAL PRISONERS.

**\*1500. Sardar Partab Singh :** Will the Honourable Finance Minister be pleased to state—

(a) the number of political prisoners in the Punjab jails and the class which has been allowed to each of them in jail ;

(b) the number of political prisoners belonging to the Punjab who have since been repatriated from Andaman Islands and the class in which they are kept in the Punjab jails ?

**The Honourable Mr. Manohar Lal :** (a) If the honourable member will state what he exactly means by ' political prisoners ' the information required will be collected and supplied to him.

(b) The honourable member is presumably referring to certain terrorist prisoners recently repatriated from the Andamans. If so, the answer to this part of the question is 10. Of these 10, 6 are Punjab prisoners, 1 Delhi Government and 3 Madras Government prisoners. Nine of them have been placed in ' B ' and 1 in ' C ' class.

#### EUROPEAN POLITICAL PRISONERS.

**\*1501. Sardar Partab Singh :** Will the Honourable Finance Minister be pleased to state—

(a) the number of European political prisoners or internees in the Punjab jails ;

- (b) their nationality, names and the charges against them ;
- (c) whether the Government has considered the question of deporting them to their national country ; if so, with what result ?

**The Honourable Mr. Manohar Lal :** If the honourable member will explain exactly what he means by the terms " political prisoners or internees " the information will be collected.

DAMAGE BY HAILSTORMS IN NOWSHERA PANUAN, ETC., IN TARN  
TARAN TAHSIL.

**\*1502. Sardar Partab Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the villages Nowshera Panuan, Dholian, Jawanda Kalan, Jatta Sakhireh, Sarhali Khurd of tahsil Tarn Taran, district Amritsar, suffered from hailstorms in September, 1937; if so, the total area in these villages affected thereby and the amount of remission in Government dues granted to the zamindars in each of these villages ;
- (b) whether he has received any letters of complaints from the zamindars of these villages to the effect that no higher officer reached in time to estimate the damage done by the hailstorms ; if so, the action, if any, taken by him in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) In none of these villages was damage caused by hailstorm and the question of remission does not arise.

(b) Only one petition was received, from the residents of village Naishehra Panwan. The then Settlement Officer visited this village and found that no damage had occurred.

REMISSIONS ON ACCOUNT OF HAILSTORMS IN AMRITSAR DISTRICT.

**\*1503. Sardar Partab Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the amount of the remission given to the zamindars of Amritsar district on account of the damage done to crops by hailstorms in April, 1937 ; and
- (b) the amount of travelling allowance and other allowances received by all the officers that toured the affected villages of Amritsar district to ascertain the damage done to crops by hailstorms on that occasion ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Rs. 4,233.

(b) Two gazetted officers who toured the affected villages drew travelling allowance amounting to Rs. 68. The other Revenue officials who visited these villages were in receipt of fixed travelling allowance and drew no separate allowance.

DEVASTATION BY FLOODS OF THE LANDS IN VILLAGE KAMBO DHAAHAWAL  
IN AMRITSAR DISTRICT.

**\*1504. Sardar Partab Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the total area of the cultivated lands in village Kambo Dhahawal, tahsil Tarn Taran, district Amritsar, that was devastated by the floods in the Beas river during the last three years ;
- (b) whether it is a fact that the entire village was swept away by these floods two years ago ;
- (c) whether the Punjab Government has given any compensation, granted any remission or afforded any relief to the zamindars or *kamins* for building their houses anew or for the wastage of their good cultivated land ; if so, what and if no relief has been given, whether the Government intends to do so now ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Nil.

(b) No, only a few houses.

(c) Rs. 50 was distributed among the persons who suffered the loss mentioned in (b) above.

SARDAR TEJA SINGH SWATANTAR.

**\*1505. Sardar Partab Singh :** Will the Honourable Premier be pleased to state whether it is a fact that Sardar Teja Singh Swatantar, a state prisoner, is suffering from appendicitis ; if so, the present state of his health and weight ?

**The Honourable Major Sir Sikander Hyat-Khan :** No. The latest report (1st January) is that his health is good. Weight on admission 165 lbs : present weight 180 lbs.

SARDAR GURMUKH SINGH.

**\*1506. Sardar Partab Singh :** Will the Honourable Finance Minister be pleased to state—

- (a) whether Sardar Gurmukh Singh a prisoner of Lahore Conspiracy Case of 1915-16 is ill and has become very old ;
- (b) the name of the jail in which he is detained at present ;
- (c) the present state of his health and weight ?

**The Honourable Mr. Manohar Lal :** (a) He is not ill. He is about 52 years of age.

(b) Multan Old Central Jail.

(c) His present state of health is fair and his weight is 122 lbs.

SARDAR CHANAN SINGH.

**\*1507. Sardar Partab Singh :** Will the Honourable Premier be pleased to state—

- (a) how much monthly allowance is given to Sardar Chanan Singh, a State prisoner under 1818 regulation ;
- (b) how much allowance is given to his parents ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) Rs. 32.

(b) This has been answered in the reply given to question \*745<sup>1</sup> put by the honourable member for the Amritsar (Sikh) Women's Constituency.

**CONSTRUCTION OF A ROAD BETWEEN SAMRALA AND MORINDA.**

**\*1508. Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state whether it is a fact that the question of the construction of a metalled road between Samrala in Ludhiana district and Morinda in Ambala district which is expected to connect Ludhiana directly with Kalka and to contribute to the growth of trade between the hills and the plains, has been under the consideration of the Government for many years, if so, when that road may be expected to be metalled ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** Yes, the question of improvements to the road from Ludhiana to Kurali, via Samrala and Morinda, is under consideration with a view to establish a short connection between Simla and the West of the Punjab via Ludhiana and Chandigarh, in order mainly to avoid the troublesome Ghaggar Crossing, but it cannot be said at present when the proposal is likely to materialise, as the question of bridging the Ghaggar is also under consideration.

**OCTROI DUTY ON BLANKETS, ETC., IN SIMLA AND KANGRA DISTRICTS.**

**\*1509. Lala Duni Chand :** Will the Honourable Minister for Development be pleased to state—

- (a) whether it is a fact that hand woven and hand spun goods such as blankets, pattus, gudmas, etc., manufactured in Simla and Kangra districts in the Punjab are exported to different places in the Punjab ;
- (b) whether it is a fact that the export trade of these articles is very much handicapped by reason of octroi duty chargeable on them ;
- (c) whether it is a fact that the means of earning livelihood in such hill areas are very scanty and the manufacture of the above articles is one of the few means ;
- (d) if the answers to the above be in the affirmative, the steps that the Government proposes to take to encourage this industry ?

**The Honourable Chaudhri Sir Chhotu Ram :** (a) Yes.

(b) No representation has been received by the Industries Department in this behalf, but there can be no doubt that exemption from octroi would make it easier for woollen products of Kangra and Simla districts to compete against cheap imported shoddy goods from Japan and Italy.

(c) Yes.

(d) Government has opened an Industrial School in Kulu for training in improved methods of spinning and weaving woollen articles for boys. A travelling demonstration party has also been at work in Kulu for about

[Minister for Development.]

a year for the training of girls. One more travelling party for training in improved methods of spinning and weaving wool has been sanctioned for Palampur from 1st April next. Some loans have been granted by the Department of Industries to enable certain residents of Kangra district to set up small woollen factories, and Government will be prepared to render further financial assistance. A scheme for assistance in connection with the production of better finished articles and for marketing is also under consideration.

#### FINDINGS OF CIVIL COURT IN CASE THAKARDAS *versus* INAYAT HUSAIN.

**\*1510. Lala Duni Chand :** Will the Honourable Minister for Development be pleased to state with reference to my question No. \*291<sup>1</sup> put on the 1st July, 1937, and his answer to its part (b) whether the findings of the Civil Court in the case brought by Thakar Das against Inayat Husain have been brought to his notice and the action the Government intends to take in the matter ?

**The Honourable Chaudhri Sir Chhotu Ram :** No. The latter part of the question does not arise.

#### TRAVELLING ALLOWANCES OF MINISTERS.

**\*1511. Lala Duni Chand :** Will the Honourable Premier be pleased to state the amount spent between 1st April and 30th November, 1937, on account of the travelling and other allowances of the six Ministers and whether the Government is prepared to reduce this expenditure in future ?

**The Honourable Major Sir Sikander Hyat-Khan :** A statement is laid on the table. Every effort is made to keep the expenditure down but it would be undesirable in the interests of administration to curtail touring by Ministers.

*Statement showing the expenditure incurred between the 1st April and 30th November, 1937, on account of the travelling allowance and other allowances of the Ministers.*

	Rs.	A.	P.
April, 1937 .. .. .	1,777	8	0
May, 1937 .. .. .	2,224	3	0
June, 1937 .. .. .	280	5	0
July, 1937 .. .. .	<i>Nid.</i>		
August, 1937 .. .. .	3,908	4	0
September, 1937 .. .. .	1,976	4	0
October, 1937 .. .. .	3,173	14	0
November, 1937 .. .. .	2,560	5	0
Total .. .. .	15,900	11	0

No other allowance besides house rent allowance has been drawn by the Honourable Ministers or Premier.

## ROAD BETWEEN MORINDA AND CHAMKAUR.

**\*1512. Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that the residents of Chamkaur, Rupar tahsil, Ambala district, have made representations to the authorities concerned for the construction of a *pucca* road between Morinda and Chamkaur ;
- (b) whether Chamkaur is a place of pilgrimage for the Sikhs and whether the Communications Board has considered the question of constructing a road between the above mentioned two places ;
- (c) whether it is a fact that during the rainy season Chamkaur becomes inaccessible ; if so, the action the Government intends to take in the matter ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) No representations appear to have been made by the residents of Chamkaur for the construction of a *pucca* road between Morinda and Chamkaur.

(b) Yes. It is a place of pilgrimage for the Sikhs but there is at present no proposal before the Communications Board for the construction of a new road between the above mentioned two places as already there exists a Class III road.

(c) Yes, during rains the class III road which is no better than a path becomes impassable at places. The District Board responsible for the maintenance of the road will be asked to keep the road fit for use as an all weather road.

## FERRY BOATS FARES IN AMBALA DISTRICT.

**\*1513. Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that under the Government Notification No. 26084, dated 17th September, 1934, and enforced from 1st April, 1935, the fares of the ferry boats in Ambala district for carrying men, animals and vehicles across Sutlej river have been greatly enhanced since April 1, 1935 ;
- (b) whether the Government is aware that since the imposition of the enhanced ferry boat fares the income has decreased ;
- (c) whether the Government intends to take any action in the matter ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) Yes, with effect from the 1st April, 1935, the rates were enhanced in some cases though not greatly enhanced.

(b) The income is fluctuating. It decreased by Rs. 69 during the first year ; increased by Rs. 380 during the year 1936-37 and decreased by Rs. 900 during the current financial year. This last fall is due, however, not to the

[Minister for Public Works.]

enhancement in rates but to a dispute between the Hoshiarpur and Ambala districts about the sites of Sarai and Karitpur Ferries. The management of these ferries has now been transferred to the Hoshiarpur District Board.

(c) Does not arise.

#### DANGER TO VILLAGE BALI IN RUPAR TEHSIL BY A HILL-TORRENT.

**\*1514. Lala Duni Chand :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that the hill torrent running along the village Bali in Rupar tahsil, Ambala district, has made serious encroachment upon the village *abadi* ; if so, the action the Government proposes to take in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** *First part.*—My information is in the negative.

*Second part.*—Does not arise.

#### WATERLOGGING IN SHEIKHUPURA DISTRICT AND PAYMENT OF GOVERNMENT DUES.

**\*1515. Shrimati Raghubir Kaur :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether he is aware of the fact that a good deal of land in the district of Sheikhpura has been rendered unproductive on account of waterlogging and consequently the peasants of the district find it difficult to pay the Government dues ;
- (b) whether the Government is contemplating taking any steps to ameliorate the condition of these peasants ;
- (c) if the answer to the above be in the affirmative, the relief measures that are under consideration ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes, there is some damage by waterlogging in the Sheikhpura district, and the matter is already receiving the serious consideration of Government. But peasants are generally not assessed with Government dues on land which is not sown.

(b) and (c) Yes, Government has built and is still constructing drains in this district.

#### ELECTIONS TO DISTRICT BOARD, RAWALPINDI.

**\*1516. Subedar-Major Raja Farman Ali Khan :** Will the Honourable Minister for Public Works be pleased to state whether it is a fact that at the time of the elections for the Rawalpindi District Board people of many villages like Chak Jhangi Jalal and others in Cantonment Khalil zail have to go to record their votes to zail Narali at a distance of 25 miles *via* village Missah Kaswal ; if so, the action the Government intends to take to remove the difficulty of the people of the said villages in this connexion ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** Never before has the matter been brought to the notice of Government, the local officers or even the District Board. The question of

fixing a suitable place as the polling station for this electoral circle will be kept in view when the programme for the next general elections is chalked out.

ELECTIONS TO DISTRICT BOARD, RAWALPINDI.

**\*1517. Subedar-Major Raja Farman Ali Khan :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that the zails of Narali and Cantonment Khalil in Rawalpindi district which are situated at a considerable distance from each other are educationally and economically backward ;
- (b) whether it is a fact that both of these zails are represented by a single member in the District Board, Rawalpindi ;
- (c) if the answers to (a) and (b) above be in the affirmative, whether the Government intends to take steps to give representation to the people of these zails in the District Board, Rawalpindi, separately ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) Yes.

(b) Yes.

(c) No. The figures of population and voting strength do not justify the allotment of separate representation to these two zails.

HONORARY MAGISTRATES IN RAWALPINDI DISTRICT.

**\*1518. Subedar-Major Raja Farman Ali Khan :** Will the Honourable Premier be pleased to state—

- (a) the number of the Muslim and non-Muslim inhabitants of Rawalpindi district according to the last census report ;
- (b) the number of Muslims and non-Muslims on each bench of honorary magistrates in the said district ;
- (c) the number of 1st class and 2nd class single (bench) Muslim and non-Muslim magistrates separately in the said district ;
- (d) the number of agriculturists and non-agriculturists among single bench magistrates and full bench magistrates separately ;
- (e) the age of each honorary magistrate of Gujjar Khan Bench, the date according to the discharge certificate in case of the military pensioners and the time when the term of office of any of them was extended and the action the Government intends to take to retire those whose term of office has expired ;
- (f) the considerations which prevail while appointing honorary magistrates ;
- (g) whether the Government intends to give adequate representation to the Muslims among the honorary magistrates of the said district ?

**The Honourable Major Sir Sikander Hyat-Khan :** I regret that the answer to this question is not yet ready.

## SMALL TOWN COMMITTEE, ZAFARWAL.

**\*1519. Mr. C. Rai :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the law, if any, forbidding public from being present at the meetings of the small town committees in the Punjab ;
- (b) whether it is a fact that the small town committee of Zafarwal in district Sialkot does not allow public of Zafarwal to be present at its meetings inspite of their representations ;
- (c) whether he received any representations regarding the same from the inhabitants of Zafarwal ; if so, the action taken on them ; if no action was taken, reasons for the same and whether the Government intends to issue instructions to the said small town committee to allow public to be present at their meetings ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) There is no such law.

(b) No ; In a particular case permission was refused to certain residents only who were defaulters of town rate and were instigating other rate-payers to withhold payment as by their presence disturbance in the transaction of the business of the committee was apprehended.

(c) Yes, from the residents referred to in (b) above. • The representations were forwarded to local officers for disposal. In view of the reply given in (b) above, Government do not intend to issue any such instructions.

**\*1520. Cancelled.**

## SUB-INSPECTOR OF POLICE, SIALKOT.

**\*1521. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether some prominent citizens of the town tried to see the Deputy Inspector-General of Police on the occasion of his last visit to Sialkot to request him to make inquiries into the conduct of a Sub-Inspector of Police posted at Sialkot ; if so, with what result ?

**The Honourable Major Sir Sikander Hyat-Khan :** Some members of an organisation styled the Civil Liberties Union, Sialkot, asked the Deputy Inspector-General of Police, when he was at Sialkot in November last, to receive a deputation which had certain complaints to make against the City Inspector. As these complaints had already been investigated and found baseless, it was not considered advisable to re-open the question.

## POLITICAL PRISONERS CONVICTED AFTER 1ST APRIL, 1937.

**\*1522. Dr. Gopi Chand Bhargava :** Will the Honourable Finance Minister be pleased to lay on the table a statement showing the names of political prisoners convicted after 1st April, 1937, the offences for which they were convicted and the class of prisoners which was given to them ?

**The Honourable Mr. Manohar Lal :** If the honourable member will state what he exactly means by 'political prisoners' the information required will be collected and supplied to him.

## INSPECTOR-GENERAL OF PRISONS.

**\*1523. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Finance be pleased to state—

- (a) whether the present Inspector-General of Prisons was to proceed on leave preparatory to retirement, if so, when ;
- (b) whether he was recalled to join service ;
- (c) whether he has been recommended for extension ; if so, under what rule and why ?

**The Honourable Mr. Manohar Lal :** (a) He proceeded on leave preparatory to retirement with effect from the 4th September, 1937.

(b) Yes.

(c) He is likely to be selected for inclusion in a list of specially selected Lieutenant-Colonels of the Indian Medical Service in civil employ under a new scheme recently approved by the Secretary of State, and will in consequence be entitled to continue in service till the age of 57.

## ELECTIONS TO LOCAL BODIES UNDER JOINT AND SEPARATE ELECTORATES.

**\*1524. Sardar Sohan Singh Josh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the number of municipalities in the province in which elections are held according to the system of joint electorates ;
- (b) the number of municipalities in the province in which elections take place on communal basis ;
- (c) whether the Government contemplates taking steps to do away with the communal electorates in the local bodies ;
- (d) if so, why ; if not, why not ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) 61.

(b) 57.

(c) and (d) Involve statement of policy on a very important issue and it is not possible to do so in reply to a question.

## RECONSTITUTION OF SUPERSEDED MUNICIPALITIES.

**\*1525. Sardar Sohan Singh Josh :** Will the Honourable Minister for Public Works be pleased to state whether any of the superseded municipalities in the province have been reconstituted since July last ; if so, which of them ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** Yes, the municipal committee of Karor in the Muzaffargarh district.

## POLICE CHOWKIES IN THE AMRITSAR DISTRICT.

**\*1526. Sardar Sohan Singh Josh :** Will the Honourable Premier be pleased to state—

- (a) the existing number of the extraordinary police chowkies set up in the Amritsar district ;
- (b) the reasons for setting them up ;
- (c) the dates on which it is proposed to abolish them ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) None.

(b) and (c) Do not arise.

TRAINING CENTRES FOR *Dais* IN RURAL AREAS.

**\*1527. Sardar Sohan Singh Josh :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that the maternity death rate is alarmingly high in the rural areas of the Punjab ;
- (b) whether it is a fact that no proper arrangement exists for the training of *dais* in the rural areas ;
- (c) whether it is a fact that this alarming death rate is due to the ignorance of the untrained *dais* attending on women in confinement ;
- (d) if the answers to the above be in the affirmative, whether the Government intends to open training centres for the training of *dais* in the rural areas ; and if not, what steps the Government intends to take to meet the requirements ?

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

## INFERIOR LAND TENANCY GRANTEES OF NILI BAR.

**\*1528. Sardar Ajit Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that some land was granted on Inferior Land Tenancy Conditions to some of the grantees in the Nili Bar ;
- (b) whether it is a fact that some of these lands were confiscated by the Government on account of the shortage in the stipulated percentage of cultivation on the part of the grantees ; if so, reasons for this shortage in the cultivation ;
- (c) whether it is a fact that the short percentage of cultivation was due to the shortage of water supply ; if so, whether the Government intends to restore the confiscated grants to them and also to compensate them for the loss incurred in connexion with the confiscation of their grants ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) Yes. About 9,000 acres out of 27,000 acres were resumed. Government are advised that the failure to cultivate a stipulated percentage was due to the desire of these lessees to make a certain profit by cultivating

only the best portions of their tenancies rather than fulfil the object of their tenancies by improving inferior land.

(c) No. The rest of the question does not therefore arise.

#### CIRCLE ESTABLISHMENT OF THE HAVELI PROJECT.

**\*1529. Sayad Mubarik Ali Shah :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the total number of persons employed in the clerical establishment in connexion with the Haveli Project up to 31st December, 1937 ;
- (b) their number community-wise ;
- (c) how many among them are statutory agriculturists and how many non-agriculturists ;
- (d) the amount of money received as their salaries by—
  - (i) Muslims ;
  - (ii) Non-Muslims ;
  - (iii) statutory agriculturists and non-agriculturists from amongst the members of the staff ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) 106.

(b) Muslims	..	..	..	50
Non-Muslims	..	..	..	56
(c) Agriculturists	..	..	..	46
Non-agriculturists	..	..	..	60

Rs.

(d) (i) Muslims	..	..	..	3,260
(ii) Non-Muslims	..	..	..	3,744
(iii) Agriculturists	..	..	..	3,107
Non-agriculturists	..	..	..	3,896

#### CONTRACTORS OF THE HAVELI PROJECT.

**\*1530. Sayad Mubarik Ali Shah :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the names of the contractors who have been given work in connexion with the Haveli Project at the headworks and in the different divisions of both the circles separately ;
- (b) their number community-wise ;
- (c) the amounts for which contracts have been given to Muslim and non-Muslim contractors separately ;
- (d) the number of such contractors who are agriculturists and those who are non-agriculturists separately and the amount for which contracts have been given to either of these groups of contractors ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) and (b)  
It is not in the public interest to publish names in this manner, but the numbers community-wise are as follows :—

Name of Circle.	Name of Division.	Muslims.	Hindus.	Sikhs.
1st Haveli Project ..	Trimmu .. ..	11	9	4
	Main Line .. ..	13	12	7
	Rangpur .. ..	9.5	9.5	5
	Quarries .. ..	6	6	2
2nd Haveli Project ..	Multan Canals ..	18	17	5
	Shujabad .. ..	9.5	9.5	4
Nili Bar .. ..	Pakpattan Link ..	8	8	4
	Total .. ..	75	71	31

(c) It is not possible to get these figures.

(d) There is no information in this office on this question and the important point is to see that the contractors give good value for Government money spent, and not whether they are agriculturists and non-agriculturists.

#### NUMBER OF PERSONS EMPLOYED IN CONNECTION WITH THE HAVELI PROJECT.

**\*1531. Sayad Mubarik Ali Shah :** Will the Honourable Minister of Revenue be pleased to state—

- the total number of persons employed in connexion with the Haveli Project as "Work Charge Establishment" till 31st December, 1937, giving the number of such persons in all the respective divisions of the said project ;
- community-wise their number and the amount of money paid to them separately ;
- their class-wise numbers such as statutory agriculturists, and non-agriculturists, and the amount of money paid to either group separately ?

**The Honourable Dr. Sir Sundar Singh Majithia :** Government does not consider that the time and labour involved in compiling the information asked for is warranted or that it is in the public interest to do so.

**GOVERNMENT SERVANTS DRAWING RS. 200 OR ABOVE MONTHLY IN THE  
HAVELI PROJECT.**

**\*1532. Sayad Mubarik Ali Shah :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the total number of Government servants drawing Rs. 200 and above per mensem, employed in connexion with the Haveli Project up to 31st December 1987 ;
- (b) their number community-wise along with the amount of money drawn monthly by the Muslims and non-Muslims separately in this project ;
- (c) the number of statutory agriculturists and non-agriculturists separately along with the amount of money drawn monthly by each class separately ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) 52.

	No.	Percentage.
(b) (i) Muslims .. .. .	11	21
Hindus .. .. .	31	60
Sikhs .. .. .	6	11
Europeans .. .. .	3	6
Christians .. .. .	1	2
		Rs.
(ii) Muslims .. .. .	..	5,915
Non-Muslims .. .. .	..	21,162

The Government servants referred to are principally of the Indian Service of Engineers and Provincial Engineering Services and have been obtained from the existing cadre, the percentages of which are :—

	Muslims.	Hindus.	Sikhs.	Christians and Europeans.
I. S. E. .. .. .	11.3	39.5	5.8	43.4
P. S. E. .. .. .	19.3	57.9	6.0	15.9

(c) (i) Agriculturists .. .. .	..	..	..	14
(ii) Non-agriculturists .. .. .	..	..	..	38
				Rs.
(i) Agriculturists .. .. .	..	..	..	6,427
(ii) Non-agriculturists .. .. .	..	..	..	20,650

**BEHAVIOUR OF PROCESSIONISTS IN CONNECTION WITH  
RELEASE OF HUNGER STRIKE PRISONERS—  
ALLOTMENT OF TIME FOR DISCUSSION.**

**Premier** (The Honourable Major Sir Sikander Hyat-Khan): Sir, I have received a requisition from several honourable members of this House—36 or 37 of them—that they would like special time to be allotted to discuss a motion in connection with the happenings of yesterday. I should be only too glad to accommodate them, but my difficulty is that I have already agreed to give time to the Opposition to-day to discuss the hunger strikers' question from 5 P.M. to 7 P.M. We have only two hours and we can only discuss that question. Therefore it will not be possible for me to give time to the honourable members to discuss yesterday's happenings as well. But I have not received any notice or copy of the motion which my honourable friend opposite wishes to move to-day and I think it is only fair that we should have a copy of the motion so as to see in what form that motion is expressed. If the honourable member still wishes to discuss the question, I should like to have a copy of the motion.

**Dr. Gopi Chand Bhargava**: I shall be in a position to let you know definitely within half an hour—either I will give you the motion or tell you that I do not want to move it.

**Premier**: Sir, my honourable friend, the Leader of the Opposition, says that he will either give me a copy of the motion or else intimate to me that he is not prepared to move any motion on that subject to-day. He promises to do that within half an hour. If my honourable friend does not want time to discuss that motion to-day, I should be only too glad to allow my honourable friends who have given notice of the motion regarding yesterday's happenings, to discuss that motion, if you agree.

**Mr. Speaker**: What is that motion?

**Premier**: I believe a copy of the motion has already been submitted to your office. It reads thus:—

“This House records its emphatic and unequivocal condemnation of the provocative conduct of the processionists at Lahore on the 24th instant and the use of filthy and intolerable abuse by its members and recommends to the Government to take adequate steps to deal promptly and strongly with the perpetrators, instigators and abettors of such shameful incidents and to adopt effective measures to prevent their recurrence.”

As I have already stated if my honourable friend opposite does not wish to take time to-day for discussing the motion about the hunger strikers, then I shall be prepared to allot that time subject to your approval for discussion of this resolution instead.

**ELECTION OF MEMBERS TO SERVE ON THE PUNJAB  
FOREST BOARD.**

**Minister for Revenue** (The Honourable Dr. Sir Sundar Singh Majithia): I beg to move—

That this Assembly elect on such date and in such manner as may be approved by the Honourable the Speaker four members of the Assembly to serve on the Punjab Forest Board.

**Mr. Speaker :** Motion moved is—

That this Assembly elect on such date and in such manner as may be approved by the Honourable the Speaker four members of the Assembly to serve on the Punjab Forest Board.

**Diwan Chaman Lall** (East Punjab, Non-Union Labour): I would like to know what the Punjab Forest Board is, what the procedure is regarding the members of this House being appointed members of the Punjab Forest Board, when the last one died out of existence and whether the Punjab Forest Board still exists and what its composition is. It seems rather remarkable that honourable members should be taken unawares in such matters and no information should be given about the matters regarding which they want the co-operation of members of this House. I would like to ask the Honourable Minister to throw some light on the subject.

**Minister for Revenue :** I may, for the information of my friends, state that on every occasion when the previous Council was elected, members were appointed by the Council to represent the House on the Forest Board, and now that the new Assembly has been elected, four members have to be nominated to represent the Assembly on that Board. More than that I cannot say anything.

**Diwan Chaman Lall :** I am very grateful to the Honourable Minister for giving us this much information. I am afraid I must have more information. Is it a standing committee? If it is, under what rule is it appointed?

**Minister for Revenue :** It is not a standing committee. It is a Forest Board on which four members of the House have hitherto been appointed by the Council.

**Diwan Chaman Lall :** Who are the other members of the Board?

**Minister for Revenue :** I cannot give that information just now, but if the honourable member will come to my room I will give him the information he wants.

**Diwan Chaman Lall :** May I request you to be kind enough to direct that this matter be held over until we get full information regarding the Forest Board? It is most amazing to elect members of the Forest Board when even the members on the Treasury benches do not know what the Forest Board is.

**Minister for Revenue :** I never thought that I would be asked to give you the list of members of the Board.

**Diwan Chaman Lall :** I have not been supplied with the information as to what the constitution of the Board is. It would be an absurdity to ask members of this House to vote for this without getting this information. I suggest that the matter may be left over till to-morrow or the day after to-morrow.

**Mian Abdul Aziz** (Outer Lahore, Muhammadan, Urban): I do not know why this procedure is being adopted. There used to be various standing committees previously but now only two or three committees are constituted such as the Finance Committee, Committee on Sanitary Board and one or two other committees. Why are they constituting committees bit by bit? Why not constitute all together?

**Minister for Revenue :** There is no question of any separate committee being appointed. It was an old Board which used to exist and has been functioning. The old Council used to appoint four members on that Board and I thought that perhaps the present Assembly might also like to appoint its members on that Board. But if my friends opposite do not want it, I do not want to press the point.

**Diwan Chaman Lall :** My honourable friend is quite mistaken. It is not that we do not want it. We want to know what it is about and I am certain that the Honourable Minister himself is in great doubt about it. (Interruption). If the Honourable Minister is not in doubt, I plead ignorance. I plead doubt and I say we are in doubt. May I therefore make a request that he may be pleased to agree with you and agree with this side of the House that the matter may be left over until to-morrow and meanwhile he may give us information regarding the constitution of this Board?

**Minister for Revenue :** I beg leave to withdraw this motion now and to bring it again later if necessary.

*The motion was by leave withdrawn.*

## RULES OF PROCEDURE.

### *New Rule.*

**Mir Maqbool Mahmood** (Parliamentary Secretary) : Sir, I beg to move :—

That the following be added as a new rule :—

Not more than three starred questions may be placed on the paper by the same member for the same day.

The purpose of my amendment is clear and it has been taken *verbatim* from the practice in the House of Commons. This amendment does not in any way interfere with the right of members to put questions. They are still entitled to put as many questions as they may like which are within the rules. It is only said that the right of each individual member to put starred questions may be limited to three, so that the various sections of the House and all members of the House may get as much chance as possible to bring their questions on the starred list. It now happens that an individual member sometimes has a large list of questions entered in his name and these and the supplementary questions alone take most of the time of the House and it does not give sufficient time to other members of the House to put their starred questions. That is the purpose of this amendment.

**Mr. Speaker :** The honourable member's amendment says 'not more than three starred questions may be placed on the paper by the same member for the same day'. But it is not a member who puts his questions on the paper. However, I will propose the honourable member's amendment as it is.

**Mir Maqbool Mahmood :** I plead guilty for having quoted almost *verbatim* the order of words from the House of Commons Manual of Procedure, page 71. But if the House of Commons procedure can be improved by the Speaker of this House, I have no objection.

**Mr. Speaker :** My point was whether questions are placed on the agenda by the members concerned.

Motion moved is—

That the following be added as a new rule :—

Not more than three starred questions may be placed on the paper by the same member for the same day.

**Sardar Hari Singh** (Kangra and Northern Hoshiarpur, Sikh, Rural) : Mr. Speaker, I regret to say that at this stage I am compelled to oppose this new rule because it is dictated by an abnormal number of questions put during this short session. Mr. Speaker, under the present rules and in the new rules which we have passed so far, the first hour of every sitting is reserved for interpellations, for starred questions and answers and everybody in this House will agree that the first hour which is set apart for questions should be fully occupied with interpellations and their answers. In the last session of the Assembly at Simla, you will remember that the first hour of every sitting meant for questions was not fully occupied. We had some minutes left before the questions were over when we passed on to certain other items on the agenda. If experience gained over a considerable period of time dictates that there is a necessity for having this rule, there would be no objection to it, because it is not proper that only a few members should have their starred questions answered on the floor of the House for one full hour and the questions given notice of by other members should be crowded out as is being done in the present session. But let us have more experience. In this session we have so many questions because the session which was to have been held during November last was, due to certain reasons which are only known to Treasury benches, postponed for two months. If this session was held at the time at which it ought to have been held, there would not have been so many questions now and there would have been perhaps no necessity for bringing in this amendment which has been thought of only because we have got so many questions during this session.

Let us wait for another year and if further experience dictates it, let us have a rule of this sort. I will have no objection to this. The honourable mover of the rule has referred to the House of Commons. There the number of members is about 600, but here the number of members is only 175. Let us see what happens in the next year. I do not think there would be so many questions that many of them would have to be crowded out during the next year. But in the absence of experience over a greater period, I would object to this rule.

**Diwan Chaman Lall** (East Punjab, Non-Union Labour) : Sir, I rise to oppose the amendment moved by my honourable friend, Mir Maqbool Mahmood. If I remember aright, Mir Maqbool Mahmood who was a very able member of the Rules Committee did not raise this particular matter in that committee, which would have been the proper place for raising matters of substance. (*A voice from the Treasury benches :* That would be an obstacle in your way). At the present moment, I may point out, that it is an obstacle in my friend's way. He could have raised it then. The reason that he has given for introducing this rule is a fallacious one. It is 'in order to enable all members to get a chance of putting starred questions on the floor of this House.' Now, Sir, he calls this rule a relevant one,

[ Diwan Chaman Lall.]

because it is a rule adopted by the House of Commons. He forgets the fact that in the House of Commons there are 676 members, whereas we have only 174 members—I am not including you, Mr. Speaker, because you are not supposed to put any questions—174 as against 676. Even if you work it out on that basis, you should allow at least 16 or 12 questions to be put by each member here in this House. If you take the numbers as a deciding factor—and numbers are a deciding factor according to my honourable friend—then the larger the number of members the larger the number of questions to be put by them, and in order to restrict their putting a large number of questions, you are in reality not restricting other sections from utilising the method of interrogating the Government as far as the Commons are concerned. Objection has been raised by my honourable friend that this would not be and could not be done if the numbers are large. Well, the numbers are small here as compared with the House of Commons. Therefore, the same restrictions could not possibly logically be applied in the case of the Punjab Legislative Assembly.

Now, Sir, there is another point also which my honourable friend has forgotten as far as this particular rule is concerned. In the House of Commons it is possible for every member to give notice of a question on Monday and get that question answered on Wednesday. But here we have to give, according to our rules, 15 days' notice before it can be placed on the notice paper of the House. It is necessary for the House of Commons, in view of the expedition with which questions are answered, to have some sort of restriction, otherwise it would not be possible for Honourable Ministers there to answer a large number of questions within a short period.

The third reason is this. In the central legislature, recently they have introduced this particular rule. I dare say that my honourable friend has never thought of the change that has been brought forward in the central legislature. If he had had any conversation with those who are in charge of administration in the central legislature, he would have discovered enormous difficulties that are being faced by the department itself in working out this rule on the basis of a limited number of starred questions put to each Minister. Had he been aware of the difficulty, he would not have raised this point here and wanted us also to be involved in the same difficulty in which the central legislature is at present involved, as far as the department is concerned.

The next point is this that if we are going to have very infrequent sessions or very short sessions, then there might be a justification. But I take it that the cry on the part of Treasury benches is always this "We have not got time enough to get through our business and we cannot get along with this business because we have got no time." Well, the remedy is in their own hands. As far as I can say, responsible Government does not mean holding a session to-day and then going to sleep for 4 months, and governing the country by executive orders. Responsible Government means day-to-day business of the Government conducted with the co-operation of the legislature and therefore the legislature should be in session practically from day to day. If that happens, my honourable friend will find that far from there being a plethora of questions, there will be a shortage of questions. Let us not blindly follow this rule, merely because in the

House of Commons it is laid down that a member can put only 3 starred questions on any particular day. May I suggest, in view of the remarks that I have made, that Mir Maqbool Mahmood may feel the advisability of withdrawing this particular rule, as we are now legislating not for any particular session or for any particular party, but we are legislating for those who are to come after us. If we are laying down this rule, it would be a permanent type of legislation. My honourable friend, Sardar Hari Singh, said, "If you find later on a difficulty which arises through a large number of questions being put by any member, then you are within your rights in coming to the House and asking the House to place restrictions on the number of questions which any particular member may put on any particular day." I do submit that that difficulty has not yet arisen. Let us not make innovations of this nature, which may presumably create difficulties both for the department and for the House.

**Mir Maqbool Mahmood:** Mr. Speaker, I can assure my honourable friend, Diwan Chaman Lall, that when he speaks in a spirit of sweet reasonableness his appeal is most irresistible. But he will appreciate that there are some special reasons, which I will try to present him and for which I find it impossible to accept the suggestion in this particular case.

I will take his suggestions and that of my friend, Sardar Hari Singh, one by one. It is said that the House of Commons have a very large number of members. That being the position and because questions have to be answered within two days in the House of Commons, this analogy does not apply to this House. I submit that if my honourable friends, who used this argument, would look up at the lists of supplementary questions in the House of Commons and here, they will find that our practice of putting supplementary questions is quite different from that of the House of Commons.

Secondly, it is beyond my comprehension—and I am sure the House will agree with me—how in the House of Commons, questions are answered in two days. However, if in the House of Commons answers have to be given in two days, it makes no difference from the point of my honourable friend, Diwan Chaman Lall's argument, whether those questions are put by one or by two or by 600 members. Therefore, I submit that argument also will not hold ground.

The next point raised was that there would be practical difficulties in the way if we give effect to this amendment. I submit that if practical difficulties have been got over in the House of Commons, there is no reason why they should not be got over here.

Then, Sir, I assure my learned friends opposite that nobody would like to curtail the rights of members to put questions as it will always be open to them to put any number of questions which are not starred. It is certainly an obstacle in the way of those members who merely for the sake of propaganda or display want to be seen putting questions. But I feel that it is not right, it is not proper on the part of any member to take away the right of another member to put starred questions. If an honourable member finds that he has a large number of starred questions to put, he can put three of them himself and can very well request another member to give notice of questions on his behalf. In all fairness to honourable members of this House every member should be afforded an opportunity to give vent to his feelings and ask questions which affect his constituents.

[ **Mir Maqbool Mahmood.** ]

My honourable friend over there suggested that because I happened to be a member of the Rules Committee I was debarred from putting amendments of substance. I would like, if he would permit me, to remind him that he was a party to that formula that the members of the Rules Committee were free to table amendments and bring forward their views on the floor of the House. I submit that I am not departing from that agreed formula. The honourable member himself has given notice of certain amendments of substance and I am sure that the House will not like this amendment to be gagged on that fallacious plea. In view of this I feel that so far as the imposition of this limit of putting not more than three starred questions on one particular day by one member is concerned, it is neither encroachment on the right of members nor does it affect their legitimate right to put questions. If honourable members find after experience that they would like to relax this rule there is nothing to debar them from bringing forward amendments to that effect but at present it is only fair that we should take inspiration from the practice in the House of Commons.

**Pandit Muni Lal Kalia** (Ludhiana and Ferozepore, General, Rural) : I beg to move—

That the following be substituted for the new rule proposed by Mir Maqbool Mahmood—

That not more than six questions, except when they relate to the same subject, may be placed on the paper in the name of any one member on any particular day.

In moving this amendment I do realise the difference in the view point so far as members of my party are concerned and the opinion that is being held on the other side. But taking into consideration the fact that an amendment of this nature moved by a member of the Unionist Party is bound to be carried, we want this rule to be less harmful than it is in the present form. An attempt has been made to that effect. It sometimes happens that there is a subject which does not admit of less than three questions, it may even require more, 5 or 6 or even 8 questions. If this rule is adopted then such a subject cannot be brought before the House in the form of a question. If the main object in view is to give opportunities to each and every member to put questions, then I submit that there should be no objection in accepting these words in place of the words which are not of any practical advantage so far as the conduct of business in this House is concerned. I may also add that I would press my amendment only in case the honourable mover insists that there should be this new rule limiting the number of starred questions to be put by an individual member and if he is prepared to withdraw his motion, I will be only too glad to withdraw mine.

**Mr. Speaker** : New rule moved is—

That the following be substituted for the new rule proposed by Mir Maqbool Mahmood :—

That not more than six questions, except when they relate to the same subject, may be placed on the paper in the name of any one member on any particular day.

**Lala Duni Chand** (Ambala and Simla, General, Rural) : I rise to oppose the motion that has been moved by my friend Pandit Muni Lal Kalia.

**Mr. Speaker** : The only difference between the two motions is that while the one proposes three questions, the other proposes six.

**Lala Duni Chand :** My friend, Pandit Muni Lal Kalia, has unconsciously and honestly fallen into the hands of the other party (*Laughter*). I object to any limitation being put upon the right of putting questions whether you limit the number to 3 or 6 or 10, it does not matter. I submit that both these motions are dangerous motions.

**Mr. Speaker :** The honourable member can discuss only the motion moved by Pandit Muni Lal Kalia.

**Lala Duni Chand :** I submit that I do not see any logic or any sense in these two motions.

**Mr. Speaker :** The honourable member is again discussing both the motions.

**Lala Duni Chand :** After all, certain number of questions are put in a limited period of one hour and as far as I see, there are only two or three dozen members who put questions generally. So, it is immaterial whether three questions are put by one member or fifteen and that is why I submit that the right of interpellations which is a very important right should not be restricted.

If it is the desire of Government benches that the number of questions should be curtailed, they can easily do so. I know that they have an army of members behind them. They can issue an order or an ordinance that none of them should put any question. I know that some of the questions that are being put by certain members of the Unionist Party are inspired questions. (*Interruption*).

**Mr. Speaker :** The honourable member appears to be under some misapprehension. It is quite parliamentary on the part of ministers to prompt members of their party to put questions on certain matters so that they might explain them. (*Hear, hear*).

**Lala Duni Chand :** This is exactly the thing. Certain members of the Unionist Party are shrewd enough and intelligent enough to see that certain questions should not be put or ministers would not like certain kinds of questions to be put. Therefore they take the cue. I do not say that the ministers issue instructions, but being reasonable and shrewd men, they can well understand what the ministers want and, therefore, they pursue this policy. It is very easy to curtail the number of questions if really the ministers want to get rid of so many questions. I have said there are about two or three dozen members of this House who put questions. It really means the limitation of the right of those members who generally put questions. It is their right really that will be reduced almost to nothing. We go about in our constituencies and with a view to remove the grievances of people of those constituencies, we get information from them and in all honesty we place those grievances before the House in the form of questions. The real object of the motion is not to allow such members the right of putting such questions. I find that inspite of the appeal of Diwan Chaman Lall, Mir Maqbool Mahmood is not prepared to withdraw his amendment, but I would appeal to Pandit Muni Lal Kalia to withdraw his amendment for the reason that we should not play into the hands of members opposite.

**Pandit Muni Lal Kalia :** I beg leave to withdraw it.

*The motion was, by leave, withdrawn.*

**Mr. Speaker :** The question is—

That the following be added as a new rule :—

Not more than three starred questions may be placed on the paper by the same member for the same day.

*The Assembly divided : Ayes 94 : Noes 35.*

#### AYES.

Abdul Haye, The Honourable Mian.	Jagjit Singh Man, Sardar.
Abdul Rahim, Chaudhri (Gurgaon).	Jagjit Singh Bedi, Tikka.
Afzaalali Hasnie, Sayed.	Jahan Ara Shah Nawaz, Mrs.
Ahmad Yar Khan Daulatana, Khan Bahadur Mian.	Jahangir Khan, Chaudhri.
Ahmad Yar Khan, Chaudhri.	Jalal-ud-Din Amber, Chaudhri.
Akbar Ali, Pir.	Jogindar Singh Man, Sardar.
Ali Akbar, Chaudhri.	Jugal Kishore, Chaudhri.
Amjad Ali Shah, Sayad.	Karamat Ali, Sheikh.
Ashiq Hussain, Captain.	Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major.
Badar-Mohy-ud-Din Qadri, Mian.	Kishan Das, Seth.
Balbir Singh, Rao Bahadur Captain Rao.	Manohar Lal, The Honourable Mr. Maqbool Mahmood, Mir.
Balwant Singh, Sardar.	Mubarik Ali Shah, Sayed.
Binda Saran, Rai Bahadur.	Muhammad Akram Khan, Khan Bahadur Raja.
Chhotu Ram, The Honourable Chaudhri Sir.	Muhammad Ashraf, Chaudhri.
Dasaundha Singh, Sardar.	Muhammad Hassan Khan Gurehani, Khan Bahadur Sardar.
Faiz Muhammad, Shaikh.	Muhammad Hassan, Khan Bahadur Makhdum Sayed.
Faqir Chand, Chaudhri.	Muhammad Hayat Khan Noon, Nawab Malik Sir.
Faqir Hussain Khan, Chaudhri.	Muhammad Hussain, Chaudhri.
Farman Ali Khan, Subedar Major.	Muhammad Nawaz Khan, Major Sardar.
Fateh Jang Singh, 2nd Lieutenant Bhai.	Muhammad Saadat Ali Khan, Khan Sahib Khan.
Fateh Khan, Raja.	Muhammad Sarfraz Khan, Chaudhri.
Fateh Muhammad, Mian.	Muhammad Sarfraz Khan, Raja.
Fateh Sher Khan, Malik.	Muhammad Shafi Ali Khan, Khan Sahib Chaudhri.
Fazl Ali, Khan Bahadur Nawab Chaudhri.	Muhammad Yasin Khan, Chaudhri.
Fazal Din, Khan Sahib Chaudhri.	Muhammad Yusuf Khan, Khan.
Fazal Karim Bakhsh, Mian.	Mushtaq Ahmad Gurmani, Khan Bahadur Mian.
Few, Mr. E.	Muzaffar Ali Khan Qizilbash, Sardar.
Ghazanfar Ali Khan, Raja.	Muzaffar Khan, Khan Bahadur Nawab.
Ghulam Mohy-ud-Din, Maulvi.	Nasir-ud-Din, Chaudhri.
Ghulam Samad, Khawaja.	Nasir-ud-Din Shah, Pir.
Girdhari Das, Mahant.	Naunihal Singh Mann, Lieutenant Sardar.
Gopal Das, Rai Sahib Lala.	Nawazish Ali Shah, Sayed.
Gopal Singh (American), Sardar.	
Habib Ullah Khan, Malik.	
Haibat Khan Daba, Khan.	
Harnam Das, Lala.	
Harnam Singh, Lieutenant Sodhi.	
Het Ram, Rai Sahib Chaudhri.	
Indar Singh, Sardar.	

Nur Ahmad Khan, Khan Sahib Mian.	Shah Nawaz Khan, Nawab Khan.
Pir Muhammad, Khan Sahib Chaudhri.	Sham Lal, Rai Bahadur Chaudhri.
Prem Singh, Chaudhri.	Sikander Hyat-Khan, The Honourable Major Sir.
Pritam Singh Siddhu, Sardar.	Sultan Mahmood Hotiana, Mian.
Ram Sarup, Chaudhri.	Sumer Singh, Chaudhri.
Ranpat, Chaudhri.	Sundar Singh Majithia, The Honourable Dr. Sir.
Rashida Latif Baji, Begum.	Suraj Mal, Chaudhri.
Riasat Ali, Khan Bahadur Chaudhri.	Talib Hussain Khan, Khan.
Sahib Dad Khan, Khan Sahib Chaudhri.	Tara Singh, Sardar.
Santokh Singh, Sardar Sahib Sardar.	Tikka Ram, Chaudhri.
Shahadat Khan, Khan Sahib Rai.	Wali Muhammad Sayyal Hiraj, Sardar.

NOES.

Abdul Aziz, Mian.	Kartar Singh, Sardar.
Ajit Singh, Sardar.	Kishan Singh, Sardar.
Baldev Singh, Sardar.	Lal Singh, Sardar.
Bhagat Ram Choda, Lala.	Muhammad Abdul Rahman Khan, Chaudhri.
Bhagat Ram Sharma, Pandit.	Muhammad Hassan, Chaudhri.
Bhim Sen Sachar, Lala.	Muhammad Iftikhar-ud-Din, Mian.
Chaman Lal, Diwan.	Mula Singh, Sardar.
Chanan Singh, Sardar.	Muni Lal Kalia, Pandit.
Deshbandhu Gupta, Lala.	Partab Singh, Sardar.
Duni Chand, Lala.	Prem Singh, Mahant.
Ghulam Hussain, Khawaja.	Ram Narain Virmani, Seth.
Gokul Chand Narang, Dr. Sir.	Rur Singh, Sardar.
Gopi Chand Bhargava, Dr.	Sampuran Singh, Sardar.
Hari Lal, Munshi.	Sant Ram Seth, Dr.
Hari Singh, Sardar.	Shri Ram Sharma, Pandit.
Kabul Singh, Master.	Sohan Singh Josh, Sardar.
Kapoor Singh, Sardar.	Sudarshan, Lala.
Kartar Singh, Chaudhri.	

Rule 32.

**Pandit Muni Lal Kalia** (Ludhiana and Ferozepore, General, Rural) : The amendment which I am moving is of a verbal nature. It is to the effect—

That in line 4 of sub-rule (2), for the word "the" the word "his" be substituted.

**Mr. Speaker** : There are two "the's" in that line. The honourable member apparently means the second 'the'.

**Pandit Muni Lal Kalia** : Yes, the second 'the'.

**Mr. Speaker** : Rule under consideration, amendment moved is—

That in line 4 of sub-rule (2), for the second 'the' the word "his" be substituted.

**Sardar Dasaundha Singh** (Deputy Speaker) : Sir, I oppose the motion for the following reason. Supposing the motion is to be moved by another member on behalf of the member who wants to apply for leave. In that case the word 'his' before 'absence' might mean his absence, that is the member who is actually moving the motion. "His absence" might refer to him.

**Pandit Muni Lal Kalia :** Sub-rule (2) runs like this—

He may move himself or authorise another member on his behalf to move a motion or may apply in writing to the Speaker, stating the reason for the absence and seeking the permission of the Assembly.

If my amendment is accepted then the last clause will read thus—

or may apply in writing to the Speaker, stating the reason for his absence.

The first clause of this sub-rule is separated by the word 'or' and therefore the suggested amendment will make the clause clearer than it is in the present case. I only wish to introduce a change in the third line: "or may apply in writing to the Speaker, stating the reason for his absence and seeking the permission of the Assembly." The last clause covers the application that is to be put in by the member himself, so that the first two clauses do not at all come into clash with it. He may move himself. That is one thing. He may authorise another member on his behalf to move a motion. That is the second thing. He may apply in writing to the Speaker, stating the reason for his absence. Therefore the use of the word 'his' here makes the clause clearer than it is in the present form. I hope it will not be rejected simply because the amendment comes from the Opposition benches.

**Mr. Speaker :** The question is—

That in line 4 of sub-rule (2), for the second "the" the word "his" be substituted.

*The motion was carried.*

**Mr. Speaker :** The question is—

That rule 32 as amended be adopted.

*The motion was carried.*

#### Rule 33.

**Diwan Chaman Lall** (East Punjab, Non-Union Labour): I beg to move—

That in sub-rule (2), lines 4-5, the words "and decided without debate or division" be omitted.

I have a very good reason for suggesting this. It is not stated in the section that a member who is absent for more than sixty days *shall* be disqualified. He *may* be disqualified. The word is not "shall" but "may." If that is the position then a member may satisfactorily be able to explain his absence and the House may be convinced of the explanation that he gives. Therefore to bar him from giving his explanation which may satisfy the House would be ridiculous. That is the reason why I want the words "and decided without debate or division" to be omitted. That would enable a member, if need be, to get an opportunity to explain his absence.

**Mr. Speaker :** Rule under consideration, amendment moved is—

That in sub-rule (2), lines 4-5, the words "and decided without debate or division" be omitted.

**Sardar Dasaundha Singh** (Deputy Speaker): In this connection I would only like to submit that if debate is allowed on such a formal motion, then it may give rise to personal references and for that reason I think this amendment should not be accepted. Otherwise so far as the explanation of the absent member is concerned, there is plenty of time before the moving of such a motion. It is only on account of the fact that the motion is a formal

one, that it was added here that it should be decided without debate or division.

**Diwan Chaman Lall :** Mr. Speaker, I am afraid the learned Deputy Speaker has really not caught the point of my remark. The question is not that there would be an acrimonious debate or personal charges which are not allowed under the rules themselves. If I were to attack my honourable friend over there on a personal basis, I am certain under the rules the Speaker would call me to order. That is not allowed. I want my honourable friend to see—and I am sure he will agree with me when he sees the point—that what the amendment suggests is that an opportunity may be given to an absent member who has suffered the disqualification to come to the forum of the House and state the reasons why he was absent and why he was compelled to be absent and satisfy the House that his absence was not intentional, that his absence was unavoidable and that the House should therefore condone his absence. As it is, no opportunity is given to an absent member who has suffered the disqualification to come and explain the reasons for his absence. I cannot see why it should not be made possible for him to state the reasons, and why the House should not be made aware of them. Now the disqualification is subject to the discretion of the House ; it is not a disqualification absolute. Section 68 of the Government of India Act does not say that a man who has been absent for sixty days necessarily ceases to be a member of the House. It merely says that the House may decide to say that he does not remain a member of the House if such a state of affairs has arisen. Why should a member who is suffering the disqualification not be allowed to come and explain the reasons that compelled him to be absent, so that the disqualification which would operate against him should not operate against him as laid down in the rules ? Had the Government of India Act stated that if a member is absent for sixty days then automatically he ceases to be a member, the position would have been different. But that is not the position. It says if for sixty days a member of a chamber is without permission of the chamber absent from all meetings thereof, the chamber *may* declare his seat vacant. It does not automatically become vacant and therefore the chamber is entitled to listen to the reasons that he might give in justification of his absence. What the amendment seeks to do is to give permission to the member who may have suffered the disqualification to give his reasons on the floor of the House and to convince the House that the disqualification ought not be exercised against him or that he ought not to be made to suffer the consequences of that disqualification. I do submit, Mr. Speaker, that it is a very simple matter. It does not upset any equilibrium of the Unionist Party nor is it a machiavellian amendment which may mean something very serious either for the Government or for the Opposition. It merely seeks to create a forum for the ventilation of a grievance which a particular member may have in order that that grievance may be removed, in order that that disqualification may not operate against him and for letting the House listen to the reasons that he may have to give in justification of his absence.

**Mr. Speaker :** The question is—

That in sub-rule (2) lines 4-5, the words " and decided without debate or division " be deleted.

*The motion was carried.*

**Mr. Speaker :** The question is—

That rule 33 as amended be adopted.

*The motion was carried.*

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*Rule 34.*

**Mr. Speaker :** The question is—

That rule 34 be adopted.

*The motion was carried.*

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*Rule 35.*

**Khawaja Ghulam Samad** (Southern Towns, Muhammadan, Urban):  
Sir, I beg to move—

That in lines 4-5, for the words "and . . . members", the words "and such list shall be posted every day on a notice board kept in the lobby", be substituted.

It has been laid down in rule 35 that a list showing attendance of members shall be made available for inspection by members. The object of my amendment is that a list showing the attendance of each member should be posted every day on a notice board kept in the lobby. There is no doubt, that the work and responsibility of a clerk of the Assembly Office would be increased a little. But on the other hand if my amendment is accepted it would comparatively afford much convenience to the honourable members. This work would hardly take ten minutes and the question of attendance would be solved to the satisfaction of the members.

**Mr. Speaker :** Rule under consideration, amendment moved is :

That in lines 4-5, for the words "and . . . members" the words "and such list shall be posted every day on a notice-board kept in the lobby" be substituted.

**Sardar Dasaundha Singh** (Deputy Speaker): The amendment suggested by the honourable member will give rise to difficulties. For example, a member is marked present even if he comes a few minutes before the sitting ends. But if the amendment is accepted, then so many lists shall have to be put up there after every half-an-hour or fifteen minutes. (*An honourable member :* The list is put up the next day). The amendment says, 'And such list shall be posted every day'. That is the difficulty. (*An honourable member :* It may be posted the next day). Apart from this difficulty, I do not think the honourable members would like this. It does not look decent that honourable members should be marked present and their presence exposed to public view. So I think the honourable member would not press his amendment.

**Khawaja Ghulam Samad :** Sir, it appears that the Honourable Deputy Speaker has not carefully considered my amendment and the object underlying it. He has just now remarked that at times many lists would have to be posted on the notice-board in the lobby. I do not mean that. My submission is that if a list including names according to seating arrangement or alphabetically, be put up on the notice-board, I think it would serve the purpose for a month or so. The dates of all working days should be given against the name of each member and his presence can be marked during the working hours every day. I am surprised to hear from the Honourable Deputy Speaker that the notice-board would be open to the view of the

public. It cannot be so because the notice-board would be placed in the lobby where public has no chance of admission and it would not be open to the view of the public. Only the members of this House would be able to see it. I once again press upon the honourable House the desirability of accepting the amendment under consideration and pass this amendment unanimously.

**Mr. Speaker :** The question is—

That in lines 4-5, for the words "and . . . . . members", the words "and such list shall be posted every day on a notice-board kept in the lobby," be substituted.

*The motion was lost.*

**Mr. Speaker :** The question is—

That rule 35 be adopted.

*The motion was carried.*

### Rule 36.

**Diwan Chaman Lall** (East Punjab, Non-Union Labour): Sir, I move—

That at the end of sub-rule (2), the following be added :—

"and may be made during the course of public business if it arises after the beginning of a sitting of the Assembly".

The point in regard to this amendment is this that in the House of Commons a motion on a question of privilege can be moved at any time if it arises immediately after the business is started or at any time during the course of the business. I am anticipating the same possibility here and wanting the rule to be so modified as to permit all motions regarding privileges being moved, not only immediately before the business is started, but also during the course of business, as it proceeds. It is possible that such a motion may arise during the course of daily business in the Chamber. Then obviously, according to the rule as it stands, it can only be moved, with the permission of the Speaker, immediately before the business of the day is started.

**Mr. Speaker :** Rule under consideration, amendment moved is—

That at the end of sub-rule (2), the following be added :—

"and may be made during the course of public business if it arises after the beginning of a sitting of the Assembly".

**Sardar Dasaundha Singh** (Deputy Speaker): Sir, this amendment, I think, is unnecessary because it falls under the first part of rule 36. It says :—

A motion on a question of privilege suddenly arising is entitled to immediate precedence over all other business.

If a breach of privilege occurs during the sitting, then a motion concerning that breach of privilege will be covered by part (1) of rule 36. So far as part (2) is concerned it covers only breaches which arise outside the House or in the absence of some members or on previous sittings. Therefore, my submission is that the mover of the amendment will take this into consideration and if he feels convinced that the amendment falls within the purview of part (1) of rule 36, then I think, he should withdraw his amendment.

**Diwan Chaman Lall :** Sir, I beg leave to withdraw my amendment.

*The motion was by leave withdrawn.*

**Mr. Speaker :** The question is—

That rule 36 be adopted.

*The motion was carried.*

### *New Rule.*

**Diwan Chaman Lall :** Sir, I move —

That after rule 36, the following new rule be added :—

Privilege of members shall be defined by a separate Act of the Legislature which shall lay down the procedure to be followed in punishing breaches of such privileges.

**Mr. Speaker :** This rule appears to be unnecessary in view of the provisions of section 71 (2) of the Government of India Act.

**Diwan Chaman Lall :** There are two reasons, Mr. Speaker. One reason in regard to this rule is this that Government has not brought in any legislation relating to privileges. After all, we have already been in existence and functioning for nearly a year and we have not yet heard of any such measure brought in by the Government. If we pass this particular rule it would be incumbent upon Government to bring in a measure relating to the privileges of the members of this Chamber. That is one.

The second reason is equally important and it is this. Under the Government of India Act, as it stands, this House is not empowered to punish breaches of privileges. We cannot, under the Government of India Act, turn ourselves into a court of law. Therefore, it is necessary to provide a measure which shall lay down the procedure to be followed in punishing breaches of privileges, if necessary and if such breaches have been committed. Therefore, it is a mandatory section enabling the Government to take necessary steps against such breaches and stabilizing the position relating to the privileges of the members of this House.

**Sardar Dasaundha Singh (Deputy Speaker) :** Sir, in this connection I would like to submit one or two things. A provision for legislation for privileges is given in section 71 of the Government of India Act. It does not debar us from legislating in this connection, whenever we feel such necessity. So far as the enacting of a rule is concerned, it would not give us greater power than we already have under the Act. We cannot go beyond it. If this rule is carried, the provision of the Government of India Act will only be repeated. There is no use repeating the provision of the Act in this rule.

**Diwan Chaman Lall :** Sir, I could not quite follow what the Deputy Speaker was saying and what particular stress he was laying upon this particular point. I could not follow him. It is true, I am not denying the existence of the Government of India Act. We may be foolish otherwise, but we are not likely to be foolish in denying the existence of the Government of India Act. We do see that section 71 of the Government of India Act relates to privileges. Now let me refresh the memory of my honourable friend as to why it is necessary to pass this particular rule. The section says—

- (1) Subject to the provisions of this Act and to rules and standing orders regulating the procedure of the Legislature, there shall be freedom of speech.....

- (2) In other respects the privileges of members of a Chamber of a Provincial Legislature shall be such as may from time to time be defined by Act of the Provincial Legislature, and, until so defined, shall be such as were immediately before the commencement of this Part of this Act enjoyed by members of the Legislative Council of the Provinces.

There is a third part also. Sub-section (4) of section 71 provides—

Provision may be made by an Act of the Provincial Legislature for the punishment, on conviction before a court, of persons who refuse to give evidence or produce document before a committee of a Chamber....

As far as this Chamber is concerned we have no authority to act as a court of law and punish any breach of privilege at the present moment. The provisions under section 71 of the Government of India Act might be given effect to at sometime or other by the Government. This amendment of mine means nothing more than this. Government might bring in a measure stabilizing the position of members of this House as far as their privileges are concerned. If my amendment is carried, it would compel the Government to bring forward a measure regarding the privileges of members under section 71, because as the matter stands at present it is not a mandatory provision, the Government may or may not bring in a motion to that effect. Only yesterday an incident happened where a member of this House complained about his privilege having been attacked by a police man. We have not the authority at the present moment to deal with such a breach of privilege, but we would have been allowed to do so if an Act of this legislature were in existence. I would therefore appeal to the Government to bring in a measure to this House stabilizing the position of members who want their privileges to be looked into.

**Mr. Speaker :** I hold the proposed rule to be out of order.

**Diwan Chaman Lall :** On what grounds ?

**Mr. Speaker :** As already stated so long as section 71 (2) of the Government of India Act is there, the rule which the honourable member wishes to move is not called for.

**Diwan Chaman Lall :** Would it affect the procedure of this House, if I gave notice of a motion—a sort of amendment—defining the privileges of the members of this House instead of leaving it to the Government ?

**Mr. Speaker :** The honourable member's question is hypothetical and premature.

**Mian Abdul Aziz :** Are the privileges of members such as may be defined by an Act of legislature ?

**Mr. Speaker :** Exactly so.

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*Rule 37.*

**Sardar Dasaundha Singh (Deputy Speaker) :** I beg to move—

That in lines 2-3 of sub-rule (3), for the words " member of the Government ", the word " minister " be substituted.

*The motion was carried.*

**Mr. Speaker :** The question is—

That rule 37 as amended be adopted.

*The motion was carried.*

*Rule 38.*

**Mr. Speaker :** The question is—

That rule 38 be adopted.

*The motion was carried.*

*Rule 39.*

**Sardar Hari Singh :** On a point of order, Mr. Speaker. Before we consider the amendments to rule 39, I have to raise a very important matter of high constitutional law. May I draw attention to the wording of rule 39 sub-rule (1), as it stands—

A motion expressing want of confidence in, or disapproving the policy in a particular respect of a Minister or the Ministry as a whole.....

I draw your attention to the words 'a Minister'. The constitutional position under the Government of India Act read with the Instrument of Instructions issued by His Majesty's Government read in the light of Joint Parliamentary Committee's Report is this. It is expressly laid down that the joint responsibility of the Ministry is to be fostered and the fostering of the joint responsibility is entrusted to the Governor.

I have the honour to request you, Mr. Speaker, to give your considered ruling on the matter after listening to the views of the different sections of the House, if need be, whether in view of this constitutional position as regards the joint responsibility of the cabinet a no-confidence motion can be brought on the floor of this House against a single minister. Supposing it can be brought against a single minister and it is brought against that single minister and it is carried in the House, what will be the position then? Will that Minister alone resign or will all go into the wilderness? If that Honourable Minister alone resigns, will that not be impairing the principle of joint responsibility? I want these points to be considered.

**Mr. Speaker :** I do not think we should discuss that point to-day. So, I will give my ruling when the point is discussed. The rule, as worded, is quite simple. It is neither against parliamentary practice nor against any provision of the Government of India Act.

**Sardar Hari Singh :** I want to know, before we can express ourselves on this and before the House can pass this rule, the full implication of this rule.

**Mr. Speaker :** Will the honourable member please read the instructions to which he has referred?

**Sardar Hari Singh :** It is part (B) of the Instrument of Instructions.

**Mr. Speaker :** Will the honourable member please read it?

**Sardar Hari Singh :** The last sentence of Article 7 of the Instrument of Instructions is—"The Governor shall bear in mind the need of fostering joint responsibility among the ministers".

**Mr. Speaker :** How is this inconsistent with the proposed rule?

**Sardar Hari Singh :** I want to know whether, in view of the constitutional position as laid down in the Instrument of Instructions under the new constitution, in case of passing of a no-confidence motion against a minister, it will be that minister alone who will resign or the whole cabinet will have to resign.

**Mr. Speaker :** In my opinion ministers' responsibility is joint as well as several. As regards matters of general policy their responsibility is joint, but as regards individual actions their responsibility is personal and individual. If a minister mis-behaves or acts against law, he alone is responsible for his action and not his colleagues (*Hear, hear*), and his condemnation shall not mean that his colleagues also must go. But if they support him in his wrong action, they also must go. However, if they do not support his wrong action, only the gentleman concerned shall suffer.

**Sardar Hari Singh :** Is this the final ruling ?

**Mr. Speaker :** I wish the honourable member had informed me beforehand that he would raise such an important point. In that case I would have come prepared to give a considered ruling. But I think my ruling is correct.

**Lala Duni Chand (Ambala and Simla, General, Rural) :** I move—

That in sub-rule (1), line 5, after the words "as a whole" the words "condemning any particular action or conduct of any Minister" be added.

**Mr. Speaker :** These words if added would make the rule vague, if not meaningless (*laughter*). Will the honourable member please read those words in the rule and then say whether he wants them to be inserted ?

**Lala Duni Chand :** Rule 39 (1) after the addition of these words will read as follows :—

A motion expressing want of confidence in, or disapproving the policy in a particular respect of a Minister or the Ministry as a whole condemning any particular action or conduct of any Minister.

**Mr. Speaker :** What is the meaning of the rule as worded ?

**Lala Duni Chand :** So far as I see I am not offending against any rule of grammar. I want that the no-confidence motion may be allowed to be moved not only on the ground mentioned in the rule but also on the further ground, *viz.*, if any particular action or conduct of a Minister is such that no-confidence motion may be moved, that should be allowed.

**Mr. Speaker :** All I want to know is whether the rule, as worded, is not vague or meaningless.

**Lala Duni Chand :** I have to say one word more. If the language requires any recasting, I think I can claim that that can be done. But so far as the object of my amendment goes I think it is perfectly clear. I want that "any particular action or conduct" should also be allowed to become the subject matter of a no-confidence motion. The first part deals with the question of policy. I want to add that "any particular action or conduct" also—

**Mr. Speaker :** I have already stated that actions or conduct of ministers may be approved or disapproved by this House individually and separately.

**Lala Duni Chand :** I have no objection. What you have said is perfectly right. The question is whether your saying will be as good as the addition of the particular phrase in the rule.

**Mr. Speaker :** " Policy in a particular respect of a Minister or the Ministry " is the wording of the rule.

**Lala Duni Chand :** Discussion of policy is quite different. It can sometimes be different from the disapproval of any particular action or conduct of a Minister. The policy may be on the whole all right but a particular action of a Minister may aggravate the situation which may necessitate the moving of a no-confidence motion. The object I have in view is quite different from the object that is already covered by the rule as it goes.

**Mr. Speaker :** The honourable member may move that the words " conduct or " may be inserted before the word " policy " in line 3 of Rule 39 (1).

**Lala Duni Chand :** I accept that suggestion of yours.

**Mr. Speaker :** Is there any objection to the words—

Expressing want of confidence in, or disapproving the conduct or policy in a particular respect of a Minister or the Ministry as a whole, may be made, subject to the following restrictions.

**Mir Maqbool Mahmood :** I have just one remark to make with regard to that suggestion. In the first instance it is not open to any honourable member to reflect on the private or personal conduct of any other member or any Minister. The honourable mover's amendment refers to the official conduct in a particular respect of a Minister or the Ministry. If that is the position and the honourable member refers to the public conduct of any member or Minister, I think the matter might be debated.

**Mr. Speaker :** He means public conduct.

**Lala Duni Chand :** Yes, the public conduct.

**Diwan Chaman Lall :** Certainly we shall not discuss whether a certain honourable member or a Minister is clean shaven or not or whether he is wearing a clean collar.

**Mr. Speaker :** I am doubtful whether an individual Minister of Government, where there are several Ministers, can have his own policy. As a rule their policy shall be joint and not individual.

**Advocate-General (Diwan Ram Lall) :** Could Lala Duni Chand, who moved this amendment, illustrate by a hypothetical case any action which he considers would not be covered by the rule as at present framed and therefore would necessitate this amendment? Personally I do not see that the rule is not sufficiently wide to cover motions of any kind on the public conduct of a Minister in the course of his official business. If he could quote some concrete case which is not covered by the present rule, he would perhaps be a little more intelligible to me.

**Diwan Chaman Lall :** Mr. Speaker, my learned friend (*A Voice* : Your learned brother)—We are on the floor of the House otherwise I would have called him my learned brother—has raised a practical issue and if other members also were to raise issues of this nature we would get through the rules in a more intelligent manner. We are asked whether we could give an example of the conduct of a Minister which is capable of being censured. Let me give an example. As far as policy is concerned I think we are agreed that matters of policy could come within the ambit of the

principle of censure. So far as public conduct is concerned, suppose my friend, Lala Duni Chand, takes exception to a member of a Ministry drawing more allowances than he should or more than his other colleagues, or to a Minister taking a journey to a hill station for the purpose of, let us say, examining the industrial development of the hilly tract, then that would be the conduct of the Minister which is capable of being censured by the Opposition. That is what we mean by public conduct as distinct from private conduct. (*Hear, hear*).

**Lala Duni Chand :** Sir, I beg to move—

That in sub-rule (1), line 3, before the word "policy" the words "conduct or" be inserted.

I may at the outset say that I do not want to make the no-confidence motion cheap or easy. It is only in rare cases that a no-confidence motion can be moved or should be moved against a Minister or the Ministry. Our *bona fides* can be proved by this very fact that notwithstanding that the present Ministry has been heaping lot of grievances upon the people of the Punjab and has taken no bold step to ameliorate the condition of the people or removing the grievances of the people up to this time, we have not moved such a motion.

**Mr. Speaker :** Will the honourable member please finish his speech soon ?

**Lala Duni Chand :** All that I want, Sir, is that a particular contingency or possibility may be provided for. It may be, that a Minister may not behave in a proper way and that behaviour of a particular Minister will not be covered by the provisions made in the rules regarding the policy of the Minister. It is therefore necessary that we should add that the particular public conduct of a Minister can form the subject matter of a no-confidence motion. Diwan Chaman Lall has given one apt illustration of such a conduct ; many more such illustrations can be given. I submit that we do not mean any disrespect to any Minister. All that we want to say is that the present Ministers may be ideal Ministers and they may not be capable of any kind of lapse or any kind of improper conduct. I can concede that the present Ministers are very good and excellent ones (*Voices : Thank you*) : But we should provide not only for the present Ministers but also for the Ministers who may come either within the next four years or after the expiry of four years. With these words I move my amendment.

**Mr. Speaker :** Rule under consideration, amendment moved is—

That in sub-rule (1) of Rule 39, line 3, before the word 'policy' the words 'conduct or' be inserted.

It is 5 o'clock now : the motion will be taken up when the House meets next.

## RESOLUTION.

### RELEASE OF HUNGER STRIKE PRISONERS.

**Dr. Gopi Chand Bhargava** (Lahore City, General, Urban) : Mr. Speaker, I had given notice of a resolution which I wanted to be discussed at this time, but unfortunately the whole

[Dr. Gopi Chand Bhargava]

of it has not been accepted by the Leader of the House. Therefore, I beg to move—

*That* House recommends to the Government to take effective and immediate steps to concede the demands of the hunger strikers in the Punjab jails and to effect their release.

**Pandit Muni Lal Kalia :** On a point of information. Is it open, Mr. Speaker, to the Treasury benches to redraft or alter a resolution which has been sent by an honourable member in such a form as to kill its real purpose as has been done in the present case?

**Mr. Speaker :** Will the honourable mover please read the motion as originally drafted?

**Dr. Gopi Chand Bhargava :** Sir, I sent notice of the following motion :—

That this House recommends to the Government—

- (a) to take effective and immediate steps to concede the demands of the hunger strikers in the Punjab jails and to effect their release;
- (b) to reverse the policy which has resulted in a number of persons being sentenced, tied down, externed for political reasons or in furtherance of their political activities since the termination of the last session of the Punjab Legislative Assembly held at Simla.

**Mr. Speaker :** I think the second part is an inevitable sequence of the first.

**Dr. Gopi Chand Bhargava :** In this resolution it has been only stated : to concede the demands of the hunger strikers in the Punjab jails and to effect their release. There are political prisoners who went on hunger strike—

**Premier :** The honourable member requests the Government, in the second part of his resolution, to reverse their policy in future with regard to State prisoners. I have no objection to his discussing it, but—

**Mr. Speaker :** The first part of the resolution has been slightly amended. It reads as follows :—

*This* House recommends to the Government to take effective and immediate steps to concede the demands of the hunger strikers in the Punjab jails and to effect their release.

It is almost word for word the same as the first part of the resolution, as originally drafted, while the second part is a part and parcel of the resolution and may be discussed, nay it may be even put to the vote of the House, if necessary.

**Premier** (The Honourable Major Sir Sikander-Hyat-Khan): As you are aware my honourable friend opposite asked Government for time to discuss a substantive motion with regard to the hunger strikers and the Government was only too glad to accommodate him. Now if he wants to bring in extraneous matter, I think it would have been only fair on his part to give due notice to Government. I think the motion as finally drafted and is before us should be allowed in that form and vote should be taken only on that motion and not on any other motion which the honourable member wishes to discuss.

**Dr. Gopi Chand Bhargava :** I beg to submit that if the Leader of the House is prepared to accept the first resolution, then I have no objection to moving only the first.

**Mr. Speaker :** That is a matter between the Honourable Premier and the mover.

**Dr. Gopi Chand Bhargava :** But if this resolution also is going to be opposed, then it will make no difference for the Government whether we discuss one or both. Because the time at our disposal is limited, therefore I would request the Leader of the House to allow me to move the whole resolution and not to restrict me only to the first part.

**Premier :** As a matter of principle, I regret that I cannot possibly accept the request made by my honourable friend opposite. He asked for time to discuss a certain specific matter and the Government agreed to give him time on an official day to discuss that specific matter. If he wants to discuss another specific matter, he will have to come to me again and if I have time I will give it. But I do not think it will be fair to jumble up all kinds of matters when we have decided to discuss one specific matter.

**Diwan Chaman Lall :** May I say just one word with your permission ? I do not think there is any contradiction in the two parts of the resolution sent in by Dr. Gopi Chand Bhargava. I am the person guilty for the delay in sending this particular resolution, Mr. Speaker, which was drafted by me, but unfortunately, I could not be in two places, drafting it and discussing the draft rules here. But it may conceivably be that the hunger strikers are on hunger strike also because of what has been done since the last Assembly session.

**Premier :** There is no bar to discuss that point when discussing this motion.

**Diwan Chaman Lall :** If there is no bar, why not have the actual wording of that proposition before you ? If I can get up and say that the Government has reversed the policy which it has been adopting since the last Assembly session on these various grounds—if I can say that—why can I not put it down in the shape of a motion and discuss it ?

**Premier :** But then you should have come to me and asked for specific time to discuss that motion.

**Diwan Chaman Lall :** As far as the first part is concerned, it is really inter-connected with the second part. The hunger strikers may be on strike—I do not say they are but they may be—because of certain particular policy followed by the Government since the last Assembly session. If that is so, then it is relevant to the discussion.

**Premier :** As worded, the resolution which was read out by my honourable friend opposite goes much beyond what you want or what you have understood him to mean. He wants something quite different and my contention is that in this resolution you can discuss everything relevant to the resolution and naturally if that is one of the demands of the hunger strikers, you can discuss it. But if you want to put a specific motion with regard to Government's policy with regard to the so-called political prisoners, then I must certainly have notice of it to prepare my case. I may

[Premier]

be able to give separate time for that if possible. We only agreed to discuss the question of hunger strike.

**Dr. Gopi Chand Bhargava** (Lahore City, General, Urban): Sir, it is only a few months ago when we met at Simla that we discussed the resolution about the release of political prisoners. During the course of that discussion we were told that if the prisoners who have been convicted of terrorism or violence were to give an assurance that they have given up the cult of violence, that they will not follow that cult or preach or practice violence, then the question of their release might be considered.

*(At this Stage Mr. Speaker left the chair which was occupied by the Deputy Speaker.)*

I know it will be said that what the Honourable Premier said in his speech concerned only the State prisoners. But, Sir, we discussed then the question of the release of all the political prisoners, not the State prisoners only. After that date the political prisoners in the Andamans resorted to hunger strike and made certain demands. The House was not in session then. The demand of the Andaman prisoners was an all-India question. Political leaders throughout the country advised the Andaman prisoners to give up their hunger strike and assured them that the question of meeting their demands would be taken up with the Government. The prisoners in the Andamans then gave up their hunger strike and most of them were repatriated in a few weeks' time and we know that almost all of them have been repatriated now. Before they came here one of the demands of the Andaman prisoners was that they should be given better class treatment as long as they were in jail. Not only this but they demanded better class treatment for all the political prisoners wherever they were. But when they came here they found that not only others were being treated as C class prisoners but even they were treated then as C class prisoners. After sometime some of them have been given better class treatment in this province. Some of them have been given B class diet but there are still others who are being treated as C class prisoners, while in other provinces we hear that a rule has been passed that all political prisoners should be treated as better class prisoners. When the question of giving an assurance arose, those people who were in the Andamans gave an assurance to Mahatma Gandhiji that they have got no faith in the cult of violence, in the cult of terrorism as a political weapon. Gandhiji saw His Excellency the Governor of Bengal and the Honourable Ministers of that province. After his meeting them some detainees were released and some of the political prisoners have also been released. But in the Punjab, Sir, even after their having given a public assurance and an assurance to Mahatma Gandhiji that they have got no faith in the cult of terrorism, none of the political prisoners have been released so far. I do not want to tell the House what efforts were made by us for the release of these political prisoners according to the assurance given by the Honourable Premier. Sir, when some of the political prisoners who have been repatriated from the Andamans and some of those who were here found that in spite of the fact that the Government gave that assurance to Gandhiji and Gandhiji had been trying for their release they were not released, they were forced

to take that step and resort to hunger strike. When I mention hunger strike I am reminded of the hunger strike which was resorted to by some of the political prisoners in the year 1929. I had the privilege of being a member of the old Council then. I met the Minister in charge of Jails. I was told one day in Simla that these people were committing suicide, what could the Government do? I told them then that when two powerful people fight the only course open is a compromise. On the one side was the Government which was all powerful; on the other side were those prisoners who were prepared to sacrifice their lives for the sake of their principles.

I think a man, who is prepared to sacrifice his life for the sake of his principle, even if he is all alone, is as powerful as any Government which has got large armies and ammunitions. (*Hear, hear from the Opposition.*) Sir, only after one week of that talk, the Government appointed a committee to enquire into their grievances and their demands, and when that committee met those hunger strikers, they gave up their strike, because an assurance was given by the committee that their demands would be met with. To-day again we find that those who have been fighting the battle of freedom of this country in their own way—though I differ from them but still they have been fighting this fight for the cause of the country—they to-day again feel that, in spite of the fact that they gave an assurance demanded by the Government that they are not going to be released. That is why, they have been forced to take the step which they have taken now. In the letter which they sent to Mahatma Gandhi and which has been published in the press, they have explained their attitude. They have clearly stated that they have waited so long and they also feel that the question of release of the detainees had already been decided upon by the Bengal Government. It was not after that talk or after the impression created by Gandhiji's visit on the mind of His Excellency or the honourable Ministers of the Bengal Government, that they were released. That release had already been decided upon. Therefore, the Bengal Government has not done anything.

In the Punjab, Sir, we have tried to carry the same assurance which has been given by them to Mahatma Gandhi and to the Government. We find that none of the political prisoners have been released so far. Not only this, but we find that the number is on the increase, if not in geometrical progression, at least in arithmetical progression. I know, it shall be said against us that when the Ministers in the Congress provinces have not released prisoners, why should we expect it in this province? We are always told, almost on every question that the Punjab is to give lead but when such questions of grave importance arise, they say, 'Look to other provinces'. The other day we gave notice of certain Bills, we were told that they would be adopted if other provinces adopt them. In this way we shall be told here that when other provinces have not released them why should we expect them to do the same?

There is one difficulty and that is this that the Punjab Ministers have been telling us that they have got all the power under provincial autonomy. The Congress Ministers in other provinces told us and they have been declaring even now that they have got no power under provincial

[Dr. Gopi Chand Bhargava.]

autonomy. They have only gone there to snatch as much power as they can and thus wreck the constitution. If they even now find that they cannot do anything there and the Act does not give them sufficient power, they will resign the ministries and work for more powers. I am told that the Honourable Premier of Bihar has declared that if it were in his power to release these people, they would have been released. This means that there is certain power behind the screen which does not permit them to exercise their will. It might be said that similar is the condition here, but I want this Government to declare and tell us that they have tried their level best to put the proposal before those to whom it ought to be put and let them say that that power does not permit them to release these prisoners. If this Government also tell us that very thing, we know how to bring down that power to its knees and to agree to our demands. (*Hear, hear from the Opposition*). I believe that if the Ministers were to declare this thing and say that they were impotent and that they had not much power in this province also, the country shall find out a way to achieve the power. But, here it is said, no, they have got all the powers, but still they are not prepared to release them. That is the difference between that ministry and this ministry. Not only this, but as I have told you, we find that the number is increasing and, therefore, it means that the policy of this Government is quite different from the policy of other Congress Governments. I think that it is not a sound argument that because the prisoners in other provinces have not been released, therefore, this Government is not going to release them. Let us see the crimes of political prisoners who are in jail and whose release is demanded by the hunger strikers. There are those—6 or 7—who are State prisoners and who have been imprisoned under Regulation 3 of 1818. One of them is Comrade Ram Kishen, who is suffering from tuberculosis and who now gets even attacks of heart disease. He is in such a condition, I understand, that if he is not released, he shall die in jail. What does he die for? Simply because the Government thought that he was going to do something which would have turned this Government out. He is being forced to die in jail for the mere imagination of the Government that he was going to do this or that. I think that no man should be put into jail simply because the Government take into their head that he is about to do something which would be very bad for them. There should have been some trial. This man has not been tried and he has been in jail for such a long time. He is suffering from a disease which would hardly leave him fit, if he survives, for any political work and still he is not being released. He shall die simply because the past Government imagined that he was an undesirable man and a very dangerous man.

In the same way, one of our comrades, who is a member of this House, is kept in jail for reasons best known to the Government. He has also given an assurance that he has no faith in the cult of terrorism and still he is there. He is not permitted even to attend the meetings of this House.

There are other prisoners whose property has been confiscated. Amir Haider is one of those whose property has been confiscated by the Government. He is in jail. He was told that it was under the orders of

the Madras Government that he was kept in jail. But the Madras Government say, 'No, they have never imprisoned a man of that name', but still he is in jail. He is a State prisoner under Regulation 8 of 1818. In the same way there are other prisoners who are behind the bars, because the Government desired to keep them in jail.

Then again, there are others who have been interned in their homes. In the Simla session, we were told that people who were convicted under the Criminal Law Amendment Act, have been let off and allowed to move about. But after that session we find that many others, have been detained and have been interned in their respective homes.

There is another class of prisoners who were tried in a court of law and convicted. Most of them shall be released—as a matter of fact, they ought to have been released by now—in a few months' or in a few weeks' time provided the rules are followed in their case as are followed in the case of ordinary prisoners. But what was demanded of the Government? It was that they may be released a bit earlier. I wonder why the Government is not prepared to consider the cases of those whose release is due. I know it will be asked, under what law we demand their release? I do not think I can quote a specific section of any law under which they can be released, but I want to make it clear to the honourable members opposite that it is under unwritten International Law, if I may call it, that we demand such a thing; it is under the convention which has been established in all democratic countries, i.e., whenever a system of Government changes, amnesty is declared. But are we to believe that there is no change in that system and the present Government is running in the same rut as the past Government did? If that is so, I have got nothing to add, because I know we cannot expect any change in their hearts inspite of the fact that they claim to be a National Government, a responsible Government. I do not think it would befit any responsible Government not to release its political prisoners especially when their constituents, or in fact, the whole province demand it. It will be an act of great irresponsibility if the demand of the constituents were not attended to or not heeded to.

I was classifying the prisoners. There are some who should have been released by this time or who ought to be released very soon. Now it might be said, "They have resorted to hunger-strike; how can we consider the question of their release? It is a question of prestige of Government; it would mean that the Government released them under pressure." How can a Government, I submit, call itself a responsible Government if it does not yield to the pressure of public opinion, the pressure of those people who have sent them here? I would tell them that this is a false prestige for which patriotic people who fight for the freedom of their country are being allowed to die in jails.

There is a class of prisoners left who have to undergo long terms of imprisonment. They were punished, it is said, because of their faith in terrorism, because of their acts of violence or conspiracy to do violent acts. When they say they have lost faith in violence and faith in cult of terrorism and they are prepared to work under the Congress whose creed is to attain complete independence by peaceful and legitimate means, I fail to understand why these people should be kept any longer in jails.

[Dr. Gopi Chand Bhargava.]

It might be said that the Government has got no faith in what they say, but then why should they be called upon to give in writing that they will not take part in subversive activities if they want to be released? Government should either believe them or not believe them. There is no point in believing them for one particular thing and not in the other. I know that a comrade was released sometime back and it was after an honourable member who was deputed by the Government had seen him several times in jail and demanded an assurance in writing. The comrade refused and it was after a month or so that he was released. If they want assurance the assurance is there, viz., they have got no faith in violence. But the difficulty is that they want an assurance that they will not take part in subversive activities and that term 'subversive activity' has not been defined. We were told that subversive activity means an action which is against law. We believed and even now believe that it is a right and more so it is a duty of every man to rebel and break law if he finds that the law is a lawless law and it is necessary to break it to attain freedom. We will break laws in the future, if we find it necessary, as we have done in the past and it shall be our duty to do so. One thing more I want to impress upon the Government and that is this. When we break laws we give notice to the Government that we are going to do so. We fight like brave soldiers and do not give them an under-hand fight—secret fight. Therefore, when they say that they are going to work under the Congress and when the Congress say that they would break laws only when the Congress adopt that resolution there seems to be no reason why the Government should not come forward and release them forthwith.

**Deputy Speaker :** The honourable member has only one minute left.

**Dr. Gopi Chand Bhargava :** If you give me a little more time, Sir, I will finish. I told you in the beginning that it was after the hunger-strike of a few political prisoners in 1929 that a committee was appointed and the recommendations of that committee were accepted by the Punjab Government, but the Government of India changed them. I know it as a matter of personal experience that even those rules that were framed after decision of Government of India were changed by the Punjab Government afterwards.

To-day the rules are practically the same as they were before the strike except that a certain class has been created and a distinction is made when a prisoner is to be classified. What did we demand? We only demanded that all political prisoners be treated as better class prisoners. There are three classes of prisoners: A, B and C. Only two or three days ago I put a question as to the class in which Maulana Mazhar Ali Azhar, a member of this House, was placed in jail. I do not think that question did come up for being answered on the floor of this House, but I read in the answer laid on the table of the House that he was being treated as a B class prisoner. I do not know what is A class meant for when a member of this House cannot be treated as an A class prisoner. After all what is the crime of Maulana Mazhar Ali Azhar? He has not done anything which can be called an act involving moral turpitude and when it is not an act involving moral turpitude, when his intention is not what can be called by Government subversive, then I do not know who are going to be treated as A

class prisoners. (*Voices from the Opposition benches : Honourable Ministers*). Well, I do not know, but I can assure them that if I were there, if the Congress Ministry were there, they will treat them in a much better way than they treat their political colleagues. (*Voice from Treasury benches : Thank you.*)

It is said that some people are ordinary class of people and they go to jail for political reasons, how can they be treated as better class prisoners ?

**Deputy Speaker :** The honourable member may please wind up.

**Dr. Gopi Chand Bhargava :** Whosoever is punished for his political views or political actions, should not be treated as a C class prisoner. I wish the treatment in jail were improved for all the people, but as long as that is not done, at least the political prisoners should be treated as better class prisoners. I may tell the honourable ministers here that it is by chance, it is only by luck that these people are there and they should know that at least two of them have got the experience of jail life. I would like them to revive their memories and to remember what a treatment of a political prisoner in jail means. After reviving their memory I think that they shall agree to this request of the hunger-strikers. I have told you about the treatment as well as about the demand for release. Therefore, I think that we can safely recommend to the Government to take effective and immediate steps to concede the demands of the hunger-strikers. There is another demand--the repeal of repressive laws. But if these people are released, then that demand they can make as outsiders and not as prisoners. Therefore, the question of repeal of repressive laws does not arise, because if the Government does not meet it but releases those prisoners, they shall be out, they shall be free men and they can then try for repeal of repressive laws. Therefore, that demand is immaterial. With these words I beg to commend the resolution which I have put before you for acceptance by the Government. (*Cheers*).

**Deputy Speaker :** Motion moved is—

This House recommends to the Government to take effective and immediate steps to concede the demands of the hunger-strikers in the Punjab jails and to effect their release.

I would like to have the sense of the House on one point. A long list of names of honourable members from the opposite side has been handed over to me giving therein the names of the honourable members who want to speak on this resolution. Similarly another list has been handed over to me on behalf of the other side. If I am to accommodate so many honourable members, then it is necessary for me to reduce the time. I would reduce the time, if the House agrees (*Voices : five minutes*) to five minutes for each member.

**Mir Maqbool Mahmood** (Parliamentary Secretary): Mr. Deputy Speaker, I am sure that it is not necessary for me to assure the honourable the Leader of the Opposition, whether we sit on this side of the House or on the other side of the House, that the best opinion in the province feels hurt at the prospect of some of their countrymen going on hunger strike and I can assure him that it is not pleasant for anybody, least of all for a Government that sits here by the suffrage of the province, to have their countrymen under bars and see them on hunger-strike the basis of which may be political or otherwise. I would submit that we should on both sides of the

[Mir Maqbool Mahmood.]

House try to approach this question without any false notion of sentiment on the one side or a false notion of prestige on the other and I think on a matter of such a nature involving such principle let us frankly try to understand the point of view of the Government and the point of view of the Opposition. I expected that the Honourable the Leader of the Opposition would try, in support of his motion, to give us the specific demands of hunger-strikers. I have not, I say that with due deference, been apprised of what those specific demands were, due to non-acceptance of which they went on hunger-strike. But gathering from the trend of his speech and from what I have gathered from the newspapers and elsewhere, it seems that the main grievance is that they want to be released but they have not been released. You will recollect that at the last Simla session the question of the release of political prisoners was discussed threadbare and the House gave its definite verdict on that question. After that verdict, after that definite decision of the House, I ask, what is the new circumstance which has been cited or created on the basis of which the Honourable Leader of the Opposition wants the release of the prisoners? I feel that the mere fact of a certain prisoner going on hunger-strike on howsoever a moral and patriotic ground is not enough to let him go out of the jail.

I am sure that the honourable members opposite or those sitting on this side of the House would not advocate that any person who goes on hunger-strike should be released forthwith. That I am sure is no argument in support of the resolution. Then, what else is at the back of this resolution? The Leader of the Opposition said that the electorate of the province wanted their release. Forgive me, Sir, for asking, what electorate? We sitting on this side of the House represent the opinion of the electorate and not the rowdy mob who had not even the sense of decency to respect and honour the Ministers and honourable members of this House yesterday and who were crying such shameful slogans that they would be a discredit to any country and no country would be proud of such people, and who were abusing the mothers and sisters of responsible Ministers. Is that an argument for the release of political prisoners? (*Voices from Unionist benches: Shame, shame.*) (*A voice: It is unparliamentary.*)

**Sardar Sampuran Singh:** Perhaps the honourable member is speaking from some secret official information which he may have got. We are not in possession of any information of that kind about the way in which the mob behaved.

**Deputy Speaker:** There is no point of order.

**Sardar Sampuran Singh:** My point is that the speech which the honourable member is now making is irrelevant to the resolution because he is referring to certain things which do not apply to this resolution.

**Deputy Speaker:** The honourable member was only developing an argument (*hear, hear*).

**Mir Maqbool Mahmood:** I was submitting that the only two conditions that would have been cited in support of the resolution after the decision which we reached during the Simla session, are the incident of the hunger strike and the rowdy mob which we had in Lahore. With regard to these, without going further into the question I would invite the attention of the

honourable members opposite to the very pertinent interview given by the President of the Indian National Congress—Pandit Jawahar Lal Nehru. Referring to the hunger strike of prisoners in the Punjab jail he said that he was greatly worried over the matter. He did not know what to do. He had a mind, he said, to see the prisoners but he had nothing else to tell them than that they should give up the hunger strike. He wished that they had not resorted to hunger strike. He, however, favoured the idea of carrying on an agitation for their release but maintained that civil disobedience should not be offered at all because that would blur the immediate object in view. (*Interruption.*) I refuse to be interrupted by honourable members.

**Lala Duni Chand :** How long are you going to speak ?

**Mir Maqbool Mahmood :** I submit that this question should be examined dispassionately. Now, what is the position ? The position is that there are offences against individuals and offences against the State. The law as such does not take notice of the political motives behind a particular action. The moment a person commits an offence involving violence I submit that he is as much guilty of an offence against the State as he is guilty of an offence against an individual. Howsoever we may sympathise with the motive which actuated an accused for committing an offence involving violence, I submit that under no law can you treat him differently. If you decide that because a certain prisoner has gone on hunger strike therefore he should be released, I submit, on what logic should you refuse to release a person who is a murderer and who may be parted from his loving wife, or a father who may be taken away from his children ? On what basis can you refuse his release ? I know there may be a motive behind his action for which we may have sympathy, but now can you deal with the man differently ? There is the question of principle, and once you accept the principle that any person who has committed an offence involving violence is to be released and should be treated differently, I submit it will be impossible to keep law and order in the province. With regard to the non-violent offences, I would submit that there are certain offences for which the courts do not convict but I am sure that when a person is found guilty and is convicted by a court, the mere incident that he has gone on hunger-strike is no argument for his release. It was open to the honourable members opposite to take advantage of the very liberal and very generous assurance given by the Honourable Premier on the floor of the House when the question was discussed in Simla. He said that he was prepared to consider—

**Sardar Partab Singh :** May I know what is the time limit for speeches ?

**Deputy Speaker :** One member on this side and one member on that side will be given longer time.

**Sardar Partab Singh :** That will be in the case of the Leader of the Opposition as well as the Leader of the House.

**Deputy Speaker :** The first speaker on that side will be allowed 15 minutes, and the first speaker on this side will also be allowed longer time.

**Mir Maqbool Mahmood :** I was submitting that the Honourable Premier gave a definite assurance and if the prisoners want to benefit they must create such an atmosphere and take advantage of the assurance according to the terms of the assurance. But if they are not prepared to do that and if my honourable friends opposite who moved the resolution are

[Mir Maqbool Mahmood.]

not prepared to stand by the letter and the spirit of the assurance, surely it is not fair to ask that the prisoners should be released. What are the facts of the case? We find that instead of setting up an atmosphere of peace and good will which the Honourable Premier asked for in Simla as a condition precedent to accepting the assurance, what is the position? Time after time civil disobedience has been resorted to and actually we have had instances of murders, terrorism and other things of that kind. We have instances of persons who had been released causing trouble not only here in this province but even in the Congress provinces. We have it on the public declaration of a Congress Minister that one such person misbehaved. (*Voices : Give one example.*) It was Pandit Parmanand.

**Deputy Speaker :** There should be no interruptions.

**Mir Maqbool Mahmood :** Now, Sir, one of the points raised by the Honourable Leader of the Opposition was that the political prisoners are badly treated. If that were the motion before the House, surely we could have it in different terms altogether. He will find that in the case of Andaman prisoners, who were repatriated from the Andamans without any request from them, they were given B class, except in the case of one person who escaped. He will find that practically all the prisoners in the list, with possibly one or two exceptions, all are given B class. He will find from the statements given in other provinces that the political prisoners there are not treated better.

Further, what surprised me was when he said that they are on hunger strike because the Government has been applying the Criminal Law Amendment Act and the repressive laws rigorously. I am sorry that the Leader of the Opposition is not here, otherwise I would have asked him, whether it is or it is not a fact that under the Criminal Law Amendment Act there are certain sections which cannot be applied without a notification. It is open to the Government but the Government has not so far done it. Does he not know that today there are only 15 persons who are detained under the Criminal Law Amendment Act and that under section 2 there is not a single person who has not been connected either directly or indirectly with the terrorist movement?

One word and I have done. I have been submitting from the very beginning that it is not pleasant for us to keep anybody behind the bar, but when we are dealing with cases of this nature, we have to see that it is our unpleasant duty as the custodian of the rights and the peace of the province to take rigid action and if we fail in our duty we shall be guilty of a betrayal of the confidence that is placed in us. (*A voice : Habit becomes second nature.*) Yes, but I would refer the honourable member to the debate on the floor of the Central Legislative Assembly in 1926 when the President of the Congress, Pandit Motilal Ji even would not endorse the motion that all political prisoners should be released. When Mr. Neogi brought forward a motion that all those Bengal terrorists and other political prisoners should be released, Mr. Swami brought forward an amendment that those who are connected with offences of terrorism should not be released.

I submit that when we examine the details of these prisoners in the jails who have gone on hunger strike, it will be then for us to see whether

any case has been made out or not. I hope the House will give an unequivocal verdict that so far as our duty is concerned it is clear. We will be guilty of a betrayal of trust if we allow the sanctity of that liberty to suffer by yielding to any sentiment or threat or pressure.

**Mian Muhammad Iftikhar-ud-Din** (Kasur, Muhammadan, Rural) : Mr. Speaker, I feel that the question before us has been totally misunderstood by the speaker who has just preceded me. He is under the impression that these handful of prisoners who are at present on hunger strike are desirous of getting themselves released. That would be entirely misunderstanding the situation. The truth is this that these prisoners if they are released, now, so far as they are concerned, they will be in jail within a few months after their release. We all know very well that prisoners of 1914 known as Babas were released after twenty years imprisonment, and as soon as they came out, in spite of their suffering and long imprisonment they were active in political fields immediately. They were not carrying on violent activities but simply fighting for the freedom of their country in accordance with the directions of the Congress, and they all went to jail within a few months. (A voice : When ?) I can even mention the names of some of these prisoners, for instance, Baba Sohan Singh Bhakan, Baba Jawala Singh. They were released some years ago and were sent back to jail soon after their release, not on account of any violent activities that they were indulging in, but simply because they were carrying on the struggle for the freedom of this country on the lines laid out by the Congress. I cannot recall the case of a single person from this province at the moment who after having been released, no matter after how many years, did not carry on the struggle for freedom after his release and was not sent to jail within a few years after coming out of jail. The demand of these prisoners is not selfish as the honourable speaker who has just spoken tried to make out. The demand of these prisoners is entirely one of principle, that of liberating their country from the slavery for which the Unionist Government, our present Ministry, is more responsible than any other Government in this country today. It may be argued that the Congress has not been able to release so many prisoners. It may be stated that the Congress has been forced to take measures against certain political workers in other provinces, but all this has no bearing whatever on the question that we want to discuss here this evening. The point that I want to press is this that no matter how many political prisoners you have at the moment in the Congress provinces, no matter how many political workers the Congress Ministries may be forced to send to jail, it is the Unionist Ministry that is responsible for the imprisonment of all those prisoners and, furthermore, it is this Government alone in the eleven provinces of this country that is responsible for the slow progress of the struggle for freedom of this country. That is the question at issue. It is not the place here to talk of the facilities afforded to the Ministers here and the difficulties in the way of the Ministers of the other provinces. That is not the question. What I want to point out is that if this Government were to decide today to carry on the struggle for the independence of India on the same lines as those chalked out by the Congress, there will not be a single province in this country which will lag behind in this fight and there will not be a single province in which the demands of the Ministers will not be conceded ; not only will their demands be conceded

[Mian Iftikhar-ud-Din]

but much more will be conceded to this country. The hunger strikes, imprisonments and internments have much wider importance than the other side is prone to think. We all know that amongst the reactionary provinces the Punjab is the worst province. We all know that the Bengal Ministers are anxious to release as many prisoners as they can and they have asked for the help of Mahatma Gandhi, but no such desire has been expressed in this province and as for the efforts of the non-Congress provinces, namely, Sind and Assam, we know how weak they are. We know that they are on their last legs. We cannot deny that in spite of our efforts this Ministry yet remains unshaken. They are responsible not only for the imprisonment of so many in this country but they are responsible for the slavery of this province. That is the point at issue. That is the cause of the hunger strike of these prisoners and that is the cause that we have taken up. The question of other ministries and the imprisonments that are taking place today in other provinces has no importance. The charge against the Ministers of this province is that they, and they alone, are responsible for the slow movement of the struggle for freedom in this country and the demands of these hunger strikers, therefore, are perfectly justifiable. Their main demand is to change the attitude of this Ministry on the all-important question of the independence of India.

**Khan Bahadur Mian Mushtaq Ahmad Gurmani** (Parliamentary Private Secretary) (Urdu): Sir, I must confess that I fail to understand the logic of my honourable friend the mover of this motion to release all prisoners who have gone on hunger strike.

**Lala Deshbandhu Gupta** : Nobody has said so.

**Khan Bahadur Mian Mushtaq Ahmad Gurmani** : I would refer my honourable friend to the wording of the motion under consideration. It would be a very dangerous principle to release all political prisoners who have gone on hunger strike. If this principle is accepted, all prisoners in the jails will go on hunger strike in order to secure their release and it will be impossible for the Government to differentiate between a political prisoner and an ordinary convict. Do my honourable friends sitting opposite mean to say that any prisoner who goes on hunger strike should be released forthwith ? In granting amnesty to political prisoners the nature of their crime must be taken into consideration. My Congress friends profess to believe in the creed of non-violence and have no sympathy with those who have been convicted for violent crimes. No Government will be prepared to release political prisoners indiscriminately.

**Lala Deshbandhu Gupta** : And this is what happened in 1929.

**Khan Bahadur Mian Mushtaq Ahmad Gurmani** : We are not to be guided by those precedents. If a mistake was committed in 1929, there is no reason why it should be repeated. There is no occasion for my honourable friends to be disturbed about the condition of the hunger-strikers. The Honourable the Finance Minister in answer to a question yesterday told us that the hunger-strikers were getting special diet. As a matter of fact hunger strike means a self-acquired special class for the prisoner. If these prisoners continue their hunger strike and remain on special diet

referred to by the Honourable Finance Minister, I am sure they will come out as stout and healthy as I am (*laughter*).

**Lala Duni Chand :** Have you ever tried that ?

**Khan Bahadur Mian Mushtaq Ahmad Gurmani :** I can assure my honourable friend that my daily menu does not exceed the ration which the hunger strikers are getting. My honourable friend, Mian Iftikhar-ud-Din, Secretary of the Congress Party, has advanced a novel argument. He has remarked that "in other provinces the Congress Ministers have not been able to release all political prisoners on account of the interference of their Governors and that they have frankly admitted their inability and helplessness in the matter on account of the lack of co-operation by the Governors, but what reasons have the Unionist Government got for not releasing all the political prisoners, when they claim that there is no interference in their administration of the Government? They cannot under the circumstances shift the responsibility on the shoulder of the Governor". Let me remind my honourable friends of the Congress that, on the introduction of the new constitution the Congress party refused to accept offices unless they were assured by the Governors that the latter will not exercise their special responsibilities and will let the Congress Government carry on the administration without interference, but after a few months they accepted offices on being assured that the Governors will not interfere in their normal administrative activities. If they feel that they have not got a free hand in the administration of their provinces, why are they sitting tight in their offices and do not resign? It seems after hearing that the Punjab Government has introduced a sliding scale in land revenue, they have adopted a sliding scale of self-respect (*loud cheers and laughter*). We in the Punjab had full confidence in ourselves and did not ask for any such assurance. I make bold to say that if ever His Excellency the Governor interferes in our constitutional activities, we shall not hesitate for a moment to leave these benches (*Cheers*). We have the courage of our convictions and are prepared to own our administrative acts and responsibilities. We consider it an act of cowardice to shift our responsibilities on the shoulders of the Governor. As regards the release of political prisoners the Honourable Premier has stated time and again that he is prepared to release all political prisoners who have not been convicted of crimes of violence if they are prepared to give an undertaking that they will not disturb the peace of the Government by taking part in subversive movements. What more do my honourable friends want? Do they want us to endanger the peace of the province in order to get cheap popularity or shall I say notoriety? Our Government was the first to release all political prisoners confined under the Criminal Law Amendment Act. All the State prisoners excepting three have been released. I quite agree with my honourable friend, Mir Maqbool Mahmood, that there should be a line of discrimination between a prisoner who is confined for his political ideas and one who is guilty of violent crimes and moral turpitude. It would be wrong to describe a person guilty of crimes against life and property as a political prisoner, because the motive of his crime was political. Would it be reasonable to call robbers, dacoits and murderers who have been convicted by courts of law as political prisoners and to press for their release? I am sorry to remark that my Congress friends have developed an unfortunate habit of sympathising

[K. B. Mushtaq Ahmad Gurmani]

with criminals and paying no heed to the interests of the peaceful millions in the country. This is a very dangerous attitude. My friends should also have some regard for peace and tranquillity of the province. They are after all the representatives not of the criminals but have been sent to the legislature by peace-loving and law-abiding citizens. It is their duty to safeguard the civil rights and life and property of those who have selected them as their representatives in the legislature.

*(At this stage Mr. Speaker resumed the Chair.)*

**Mr. Speaker :** The honourable member's time is up.

**Sardar Sampuran Singh** (Lyallpur West, Sikh, Rural) : Sir, today when the Government members get up they start with apologies. They say they shall be only too pleased if they could release these people. They want to do this thing and even as it is they have done more than what other provinces have done. They seem to be agreeing with Dickens when he talked about the times before the French Revolution and said that was the best of times and that was the worst of times. They try to blow hot and cold in the same breath. I am glad they are not very far from the truth. Some day they will stick to the truth only and leave the other side of the picture. *(Hear, hear.)* Such extraordinary matters as hunger strike require extraordinary remedy. Today when I was thinking of this subject I thought of the Honourable Minister for Education and the speech which he made in the Central Assembly in 1929 when Jatin Das died of hunger strike in the Lahore Central Jail.

**An honourable Member :** He repents having made that speech.

**Minister for Education :** Not at all.

**Sardar Sampuran Singh :** I must admit that he made a beautiful speech and ever since I have been his admirer. But the trouble seems to be —

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I am afraid that they are totally off the mark when they say that they have done as much if not more than, what has been done in the Congress provinces. They have practically released 90 per cent. or more of the political prisoners in all the Congress provinces and here you have yet to go a long way before you can claim that credit. I am very jealous that our province should, if not lead, at least come up to their mark.

Sir, you have been very enthusiastic that we have got autonomy in this province. You are perfectly independent, as far as the subjects in the schedules are concerned. And perhaps it will not be very wrong if I said you have attained autonomy but that position, which you have achieved today, is more or less on account of the sacrifice of these political prisoners, whom you hesitate to release today. You are eating the fruit of their labours. At least let them be given an opportunity to see while you are eating it. You owe an obligation to them. I think it will be only meet that you show some mercy to them. They have lost their health and they are very decrepit physically. I think there is no danger from them and if you are still afraid of them, I would not say much of the courage which

our Government has. They have practically admitted in their statements to Mahatma Gandhi that they do not believe in the cult of violence and I think that should have been enough for any man and I think anybody with little commonsense would know that they are no longer fit to create any trouble outside. It has been said that if peaceful atmosphere had been created in the province, perhaps, that would have facilitated the Government to agree to this proposal--

**Mr. Speaker :** Honourable member's time is up.

**Lieutenant Bhai Fatehjang Singh** (South-East, Sikh, Rural) : Sir, the fact that some of the political prisoners have gone on hunger strike has been very strongly pressed upon the House by the honourable members. The importance attached to hunger strike can only be said to be sentimental. As regards its material effects, it cannot be expected from any responsible government on this earth that they should release each and every prisoner who goes on hunger-strike, which would not be conducive to the harmony of the province nor of the country as a whole. Instance after instance can be quoted from history, both ancient and modern, where administrators of the day punish such people very severely. In countries which are ruled by dictators, in countries which are ruled by the public and in countries which are ruled by senate, such persons are ruthlessly butchered, mercilessly slaughtered and crushed totally. (*Interruptions.*) What is being done here? They are merely imprisoned. My honourable friends have asked, why should not the Ministry give a lead in the matter of release of all such prisoners? The reply is quite obvious. The Punjab Government cannot take steps which are disastrous to its neighbouring provinces. When the adjoining provinces cannot find ways and means to release political prisoners, how can the Punjab release its political prisoners, especially when such an act would create trouble for other neighbouring provinces? (*Hear, hear from the Treasury benches.*) Surely, it is a matter of bare commonsense that violent prisoners should be treated in a way that the law directs. It cannot be expected that if a prisoner, who is in prison not for any violent act, but is there for his political activity, he would be released if he goes on hunger strike. If all prisoners, who go on hunger strike, are released today, there would be thousands of them tomorrow who would go on hunger strike, even if they are not political prisoners. The condition of the country would be just as if the Bhakra Dam was constructed and one night without any warning, it burst sweeping away with it the major portions of the physical Punjab. The release of such prisoners without any consideration would not only sweep the physical Punjab but it will also sweep social and economic Punjab.

The previous speaker referred to the speech of the honourable Mian Abdul Haye in the Central Legislature. He said that Mian Abdul Haye supported the release of political prisoners. As far as I am aware, Mian Abdul Haye supported an amendment and said that non-violent prisoners should be released. He did not favour the wholesale release of prisoners of every kind. I cannot restrain myself from putting before the House a few facts which I have just now stated, and secondly, I have heard a lot of controversy going on when I said that in countries where dictators rule and in countries where senates rule, political opponents of the day are put to the sword. This, Sir, is a very true fact.

**Mr. Speaker :** Honourable member's time is up.

**Premier** (The Honourable Major Sir Sikander Hyat-Khan) : Sir, I have listened with care and interest to my honourable colleagues in various parts of the House who have spoken on this motion. But I must confess that the speech of my honourable friend, the Leader of the Opposition, confused the major issue. May I remind you, Sir, that we discussed the issue threadbare during the Simla session and that is briefly this,—Are you going to differentiate between a political prisoner who is guilty of violence against person or property and a political prisoner who is not guilty of violence, who might be defined according to some members of this House as a 'patriot', but according to my view a 'misguided patriot'. Now, Sir, this issue, as I have said, has been discussed threadbare during the Simla session. Unless we draw a line between prisoners who are responsible for acts of violence and other prisoners, it will not be possible for us to come to any definite conclusion. I again repeat with all the emphasis that I can command that it is our duty to differentiate between political prisoners who may be just misguided patriots or real patriots and political murderers. If we do not differentiate between them, no Government worth the name can possibly carry on the administration not only in this province but—I say with confidence and energy—in any other province in this country. I am sure that my honourable friends opposite are perfectly aware that difficulties and embarrassing situations have arisen elsewhere besides this province merely because we are confusing that issue which we cleared in Simla. I will take this House into my confidence and explain briefly with regard to crimes and offences for which these prisoners who are on hunger strike were convicted. I have got a list here but I will not take the time of the House and trouble honourable members with any minute and lengthy details. I will just give them a few examples to show the kind of offences for which these people who are now being termed as political prisoners were convicted. I will not mention names for obvious reasons. I am only reading very brief statements about prisoners who are now on hunger-strike. Here is one instance :—

“—was convicted by the court for being concerned in the Dhogri Railway Robbery at Kotla Bawadas incident, when Jawala Singh was murdered ..... was also concerned in a murder in Lyallpur district where a sweeper was murdered and another man fatally injured.....”

**Dr. Gopi Chand Bhargava :** May I know the place where these incidents happened ?

**Premier :** The dacoity and murders took place at Kotla Bawadas. Here is another instance :—

“He took part in a dacoity at Sangranwala and committed a murder in Chak No. 96, district Lyallpur. Stolen property was also discovered from him at the time of his arrest.....”

This is the type of convicts to whom my honourable friends would like the Government to show clemency.

**Dr. Gopi Chand Bhargava :** What is their term of imprisonment ?

**Premier :** In most cases they were sentenced for transportation for life.

**Sardar Sohan Singh Josh :** That is the Government version.

**Premier :** That is a decision of a court of law established in this country. They were tried and convicted.

Here is another instance :—

“.....He took part in a dacoity at Kotli Bawadas and in a raid in Sikandarpur village. He also impersonated as a police official and removed a gun on the pretext of examining the licence.

There is another person about whom my honourable friends want the Government to show leniency and clemency :—

“.....was the principal organizer and zealous executor of diabolical outrages of 19th June, 1930. He also took part in bomb explosions at Lahore, Amritsar, Gujranwala, Sheikhupura, Lyallpur and Rawalpindi, which cost the lives of two police officers. He was sentenced to transportation for life...”

**Lala Deshbandhu Gupta :** In what year ?

**Premier :** I am afraid I have not got that information before me, but if honourable members want the period I shall be glad to give them if they would indicate to me to whom this description relates.

Here is yet another instance :—

“.....was concerned in an explosion on 19th June, 1930, at Lyallpur, which led to the death of one police officer and disabled another who lost one eye. He was sentenced for transportation for life.....”

Sir, I can multiply such instances, but I will not take the time of the House as all these offences are more or less identical. It is on behalf of these gentlemen that my honourable friends opposite appeal to the House that Government should show clemency.

As I have said, if we were to confuse that issue and not distinguish between murderer and a political prisoner it would be impossible to keep law and order in the province. I will give one or two illustrations. You are aware there are people in this country who so far as their religion is concerned are on a much higher level than the political ones. These fanatical people sometimes say certain things about heads of various religions. Naturally it provokes certain people who are highly strung as they feel very highly for religious heads and in that provocation murder those fanatics. Now, do you not think that if we were to let out murderers who were responsible for dacoity, murders and rapine, we shall not be justified in keeping these people, these religious fanatics in jails ? Take another instance. Several of my honourable friends like myself are anxious to see the economic position of this province and this country rise to the same level as that of other civilised countries of the world. There are various ways of achieving that end. There are people—misguided ones, I must say—who consider that this can only be attained by violent and destructive means. What happens ? Some people take it into their heads to murder money-lenders merely because they are money-lenders. Several such instances have taken place in this province to our shame. Would my honourable friends opposite call these also political offences ?

**Several honourable members :** No.

**Premier :** If my honourable friends believe that these economic murders are not political offences, why differentiate them from those murders—murders of policemen and other innocent persons ? Why say that one is a political offence and the other is not when in both cases murders have been committed ? Do you think that capital punishment is equally justified

[Premier]

in both these cases? These are the instances which my honourable friends opposite forget when they demand indiscriminate clemency to every person whom according to their definition they call political prisoners. So far as I am concerned, I make a clear distinction between a political murderer and a political prisoner, the latter may really be a patriot or a misguided patriot, as I would call him. Once that issue is clarified the whole thing will be smooth.

**Lala Deshbandhu Gupta :** May I ask one question from the Honourable Leader of the House? Does the Honourable Leader of the House draw any distinction between one whom he styles as a political murderer and an ordinary murderer?

**Premier :** Certainly not. I do not style anybody as a political murderer. I distinguish between murderers, that is people who commit offences of violence and those who do not. My honourable friend has given me a cue for yet another question. I believe his point is that we should show clemency to these murderers; but if people who have been convicted for murder for other reasons—which he wants to differentiate from political murderers—also go on hunger-strike, should Government give way and release every murderer? Would my honourable friend like the Government to do so? I am almost certain that his reply would be 'No'.

**Lala Deshbandhu Gupta :** I have not been understood. I only wanted to know—

**Mr. Speaker :** Order, order.

**Premier :** My honourable friend the Leader of the Opposition also mentioned during the course of his speech that since these people—

**Chaudhri Kartar Singh (Urdu) :** On a point of order. Can the Honourable Premier read a newspaper in the House?

**Premier :** It merely indicates that my honourable friends over there do not really mean seriously what the resolution says, and try to treat it as a frivolous motion. But I am prepared to concede that my honourable friend opposite has not got that sense of responsibility which he should have as a member of a responsible party. I was trying to take the House back to my honourable friends' speech in which he said that these prisoners had said in so many words that they had given up the cult of terrorism and that they did not believe any longer in that cult. Let me read out to you a portion of the demands which were made by these prisoners. I am quoting from the "Tribune", dated the 13th January, 1938. These gentlemen, *inter alia* say—

"We have been told that we can secure our release by giving an undertaking that we will not take part in subversive activities. But this is impossible. No self-respecting person can give such an undertaking and least of all political prisoners. We have given up terrorism but not politics."

So, according to these people, politics and subversive activities are synonymous. Would my honourable friend opposite urge that this is the correct view to take? That means that you cannot take part in politics without violating the law, without infringing the law or doing things which are not in consonance with the law of the land. If that is the position, then I am sorry for my honourable friends opposite.

Before I get on to two other points which I want to mention, let me take the House into my confidence again, with the permission of my honourable friend the Leader of the Opposition, and tell them that I, in this House and outside as well, gave him an assurance that I would be glad to receive a deputation of these people who wanted to see me in connection with the release of these prisoners. I understand that my honourable friend went to them yesterday and told them that this was the undertaking which I had given in the House and enquired whether they would be prepared to avail of that invitation or offer which I had made. My information is that that offer was refused. (*Voices : No, no.*) I saw in the press a report and my friends must have seen it also that they—some people in that procession—instead of availing of the offer, are reported to have told my honourable friend opposite that he should bring the warrants of their release and that they were not prepared to take a deputation. I shall be glad if that is not the position. However, my honourable friend came to me today and asked whether I would receive a deputation and at that time his position was that he did not intend to move this motion if I received the deputation because it would probably have been easier and less bitter if I had a deputation in camera in my room, heard their grievances, and said what I had to say on behalf of the Government. I entirely agree with him that it would have been preferable if that method had been employed. I find that my honourable friends opposite changed their minds after the notice for another motion regarding the happenings of yesterday was given and they wanted to discuss the motion. I wanted to refer to this point for this reason that it would be no use my seeing a deputation now because I propose to inform the House of my position and the position of the Government with regard to this matter and after that it would serve no useful purpose to meet a deputation and discuss the matter with them because what I say here is the definite and considered decision of the Government and as such it would not be possible for me to see the deputation and go behind that decision of the Government. (*A voice : Are you withdrawing the offer ?*) The offer had been kept open for two days and I say it will now serve no useful purpose after I have declared the policy of the Government.

My honourable friend also mentioned something about Mr. Amir Haider's property. Let me assure him that his property was confiscated not by the Punjab Government but by the United Provinces Government because he was an absconder and his property was confiscated in the case in which he was absconding. He can apply to the United Provinces Government and perhaps that Government, in view of the changed circumstances, concede his request and let him have his property back, but the Punjab Government has nothing to do with his property or its confiscation.

My honourable friend also said that I had given an undertaking or assurance during the Simla session that "provided the prisoners gave an undertaking that they would not enter into any subversive activities, I would be prepared to release them". I did say that, but he has probably forgotten that I also made a request that he and his other friends opposite would help me in creating a better atmosphere, and at the same time I made it quite clear that we were not going to distinguish between the political murderer or political prisoner who was guilty of violent offences and crimes, and other prisoners. As a matter of fact I should like with your permission just to

[Premier]

read a brief extract from my speech which will make clear the undertakings with regard to these prisoners who had not been tried, that is to say, prisoners who had been incarcerated under Regulation III of 1818 or those who had been interned under the Punjab Criminal Law Amendment Act. With regard to those prisoners what I said was—

But that does not mean that we should let out all political prisoners indiscriminately.

We have also to see to the safety of 23 millions of this province, and it is our bounden duty that the safety, peace and tranquillity of the province is not jeopardised. But in spite of this, I am prepared to take the risk of releasing them, if my honourable friends opposite would give me an assurance that they will co-operate with me whole-heartedly in creating that atmosphere which will make it possible for me not to keep the political prisoners behind the bars. But pending the arrival of that ideal stage, there is an *interim* stage, and that stage is this that I will be prepared to take the risk and let out several of these prisoners. But there again, provided they give me an assurance—a gentleman's undertaking—that they will co-operate with me in trying to keep these people on rails and to see to it that they will not again try to do anything which is not fair and square. I do not want them to give up their political activities.

Let me emphasise that point—

I do not want the honourable member to give an assurance that they will not indulge in political activities. By all means let them indulge in all legitimate constitutional political activities but all that I want is that they will not take part in subversive activities. If my honourable friend can give me that assurance that he will persuade these gentlemen—I think there were only six of them under Regulation III of 1818 when we took office—it will make my task easier.

That is what I said then. In pursuance of that policy I let off two of these prisoners. I got an assurance from them, a gentleman's undertaking, but it is with the greatest regret and grief that I have to say that that gentleman's undertaking has not been fulfilled. In one case definitely the pledge has been broken. It may be my painful duty to refer again to a part of my speech where I said that—

If on the other hand they do not adhere to the pledge, it may be necessary for me to take action against these gentlemen again. I hope that will not be necessary but it will depend on the atmosphere which prevails in the province.

**Lala Duni Chand :** Are political activities against Government subversive ?

**Premier :** I think my honourable friend is a lawyer and he ought to know the difference between constitutional political activities and subversive activities. If he does not I am afraid I cannot teach him here.

**Diwan Chaman Lall :** The policy of the Congress is subversive as far as the British Government is concerned ?

**Premier :** It is not in other provinces, but it is so in this province I have only two minutes left. Therefore I will try to finish my speech.

My honourable friends opposite also referred to certain utterances of one of my confereres in another province. He referred to the Premier of Behar who said that they were finding themselves impotent and were having difficulties. I do not want in any way to criticise or even to mention what is happening in other provinces. I want to set up a convention that a Minister in one province should not criticise the Government of a neighbouring province (*hear, hear*). After all, the best way of getting uniformity is that we should all take our decisions according to our own circumstances within our province and not criticise or in any way reflect adversely the work done by other provinces. But I might refer my honourable

friend to another portion of his reported speech where he said that so far as the achievements of the Congress were concerned in his province, they were a big zero. I believe he was very frank because I know that the Congress find it very difficult to make headway when there are other forces, not only the forces to which my honourable friend referred but other forces against which the Congress is fighting. Now let me assure my honourable friend who said that if we find difficulties in carrying out our policy we should ask for their help because they know how to get over obstacles. Let me assure him and tell him once and for all that so far as we are concerned there has not been a single obstacle in our way. I can assure him that this Government takes decisions of its own. There has been no interference and we will brook no interference in our decisions (*hear, hear*). That is entirely the decision of the Government. What I am going to say is this, that so far as prisoners who have been guilty of violent offences are concerned, this Government cannot possibly treat them with clemency. With regard to the other prisoners those prisoners about whom I gave an undertaking so far as the Criminal Law Amendment Act people are concerned, all have been released since then. (*Diwan Chaman Lall: More have been arrested since.*) I also said that if they continued their activities I shall feel no hesitation in restricting them again. With regard to the other prisoners, that is Regulation 1818 prisoners, I sent my honourable friend to one prisoner to see if he could get an undertaking from him but unfortunately the prisoner would give no undertaking. I do not blame the honourable member—not at all. He went and tried to get it. So far as these prisoners are concerned if they give an assurance or an undertaking on the lines I have indicated I will not hesitate to let them off and take the risk.

There is only just one more point which I want to impress upon this House. Some people who profess that they have given up the cult of terrorism have also told their confereres or people outside their party that they have given up the cult of individual terrorism but they believe in mass movement. What they want is not individual terrorism but revolution by force and violence (*Voices from the Opposition benches: No, no.*) That has been stated in several speeches and unfortunately that is what they mean. My honourable friends have not read those portions of the speeches; but this is what they have stated in several speeches made on that theme. Sir, I want to take this House into confidence and tell the honourable members that so far as this Government is concerned they will in no event allow any movement whose object is to overthrow any class or any part of society or the Government constituted by law, a democratic government or for the matter of that in any way disturb the peace and tranquillity of the province, because if we do so we will allow bloodshed and rapine in this province. So long as I am in charge of Government—and I wish to emphasise it—let me assure my friends that we will not allow any movement which will disturb the peace and tranquillity of the province or in any way endanger and risk the integrity and honour of our women and children in this province. (*Applause.*)

(*Voices: Question be now put.*)

**Mr. Speaker:** The question is—

That the question be now put.

*The motion was carried.*

**Dr. Gopi Chand Bhargava :** Sir, I want to give a personal explanation with regard to certain points before I give my reply. One is about my seeing a State prisoner, trying to persuade him to give the assurance but failing to do so. I beg to submit, Sir, that what happened was that I did get the assurance and I gave it to the Honourable Premier. (*Premier : What assurance ?*) The Honourable Premier was pleased to say that he would visit the prisoner himself and that he would try to release him if he were satisfied —

**Premier :** That he would not take part in subversive activities.

**Dr. Gopi Chand Bhargava :** I did not agree to any condition about subversive activities, because the Honourable Premier cannot define what subversive activity is. The hunger-strikers say that subversive activity means political activity and that they are not going to give up their political activities. This means that he agreed with that definition, otherwise, the prisoner should have been released. The other point was about the deputation. I beg to submit that I went to see Honourable the Premier to find out whether he was prepared to see a deputation, and he told us yesterday on the floor of the House that he would give them time. I also said that we would think over the matter. He said

7 P.M. receiving a deputation and moving of this motion were different things and he would be prepared to receive the deputation even after we had discussed the motion. I think I have got good reason to believe that because his party does not want him to receive the deputation now, therefore he is not seeing them. It is not because I gave him any undertaking. I never gave him any undertaking and I have not broken any because I never gave one.

**Premier** (The Honourable Major Sir Sikander Hyat-Khan) : I merely wanted to make one statement. I never imputed any motives. All that I said was that my friend said that he would not ask for time to discuss this motion if I received a deputation and that probably it would be better from both points of view and that it would serve no useful purpose now to receive the deputation.

**Mr. Speaker :** The question is—

This House recommends to the Government to take effective and immediate steps to concede the demands of the hunger-strikers in the Punjab jails and to effect their release.

*The Assembly divided : Ayes 33 : Noes 80.*

AYES.

Ajit Singh, Sardar.  
Baldev Singh, Sardar.  
Bhagat Ram Choda, Lala.  
Bhagat Ram Sharma, Pandit.  
Bhim Sen Sachar, Lala.  
Chaman Lall, Diwan.  
Chanan Singh, Sardar.  
Deshbandhu Gupta, Lala.  
Duni Chand Lala.  
Ghulam Husain, Khawaja.  
Gopi Chand Bhargava, Dr.

Hari Lal, Munshi.  
Hari Singh, Sardar.  
Kabul Singh, Master.  
Kapoor Singh, Sardar.  
Kartar Singh, Chaudhri.  
Kartar Singh, Sardar.  
Kishan Singh, Sardar.  
Lal Singh, Sardar.  
Muhammad Abdul Rahman Khan Chaudhri.  
Muhammad Hassan, Chaudhri.

Muhammad Ittikhar-ud-Din, Mian.	Rur Singh, Sardar.
Mula Singh, Sardar.	Sampuran Singh, Sardar.
Muni Lal Kalia, Pandit.	Sant Ram Seth, Dr.
Partab Singh, Sardar.	Shri Ram Sharma, Pandit.
Prem Singh, Mahant.	Sohan Singh Josh, Sardar.
Raghubir Kaur, Shrimati.	Sudarshan, Lala.

## NOMS

Abdul Hamid Khan, Sufi.	Jahangir Khan, Chaudhri.
Abdul Haye, The Honourable Mian.	Jogindar Singh Man, Sardar.
Abdul Rab, Mian.	Karamat Ali, Shaikh.
Afzaalali Hasnie, Sayed.	Khizar Hayat Khan Tiwana, The
Ahmad Yar Khan Daulatana, Khan	Honourable Nawabzada Major.
Bahadur Mian.	Kishan Dass, Seth.
Ahmad Yar Khan, Chaudhri.	Manohar Lal, The Honourable Mr.
Ali Akbar, Chaudhri.	Maqbool Mahmood, Mir.
Amjad Ali Shah, Sayed.	Mubarak Ali Shah, Sayed.
Ashiq Hussain, Captain.	Muhammad Akram Khan, Khan
Badar-Mohy-ud-Din Qadri, Mian.	Bahadur Raja.
Balwant Singh, Sardar.	Muhammad Ashraf, Chaudhri.
Binda Saran, Rai Bahadur.	Muhammad Hassan Khan Gur-
Chhotu Ram, The Honourable	chani, Khan Bahadur Sardar.
Chaudhri Sir.	Muhammad Hussain Sardar.
Dasaundha Singh, Sardar.	Muhammad Jamal Khan Leghari,
Faiz Muhammad, Shaikh.	Nawab Sir.
Faqir Hussain Khan, Chaudhri.	Muhammad Nawaz Khan, Major
Farman Ali Khan, Subedar Major.	Sardar.
Fatehjang Singh, 2nd Lt. Bhai.	Muhammad Saadat Ali Khan, Khan
Fateh Khan, Raja.	Sahib Khan.
Fateh Muhammad, Mian.	Muhammad Sarfraz Khan, Chau-
Fazl Ali, Khan Bahadur Nawab	dhri.
Chaudhri.	Muhammad Sarfraz Khan, Raja.
Fazal Din, Khan Sahib Chaudhri.	Muhammad Yasin Khan, Chau-
Fazal Karim Bakhsh, Mian.	dhri.
Few, Mr. E.	Muhammad Yusaf Khan, Khan.
Gauba, Mr. K. L.	Mushtaq Ahmad Gurmani, Khan
Ghazanfar Ali Khan, Raja.	Bahadur Mian.
Ghulam Mohy-ud-Din, Maulvi.	Muzaffar Ali Khan Qizilbash, Sardar.
Ghulam Rasul Chaudhri.	Muzaffar Khan, Khan Bahadur
Ghulam Samad, Khawaja.	Nawab.
Gopal Das, Rai Sahib Lala.	Narendra Nath, Diwan Bahadur
Gopal Singh (American), Sardar.	Raja.
Hans Raj, Bhagat.	Nasir-ud-Din Shah, Pir.
Hari Chand, Rai.	Naunihal Singh Mann, Lieutenant
Harnam Dass, Lala.	Sardar.
Harnam Singh, Lieutenant Sodhi.	Pir Muhammad, Khan Sahib Chau-
Het Ram, Rai Sahib Chaudhri.	dhri.
Indar Singh, Sardar.	Pritam Singh Sidhu, Sardar.
Jagjit Singh Man, Sardar.	Ram Sarup, Chaudhri.
Jahan Ara Shah Nawaz, Mrs.	Ranpat, Chaudhri.

Ripudaman Singh, Thakur.  
 Shahadat Khan, Khan Sahib Rai.  
 Shah Nawaz Khan, Nawab Khan.  
 Sham Lal, Rai Bahadur Chaudhri.  
 Sikander Hyat-Khan, The Honour-  
 able Major Sir.  
 Singha, Mr. S. P.

Sumer Singh, Chaudhri.  
 Sundar Singh Majithia, The  
 Honourable Dr. Sir.  
 Suraj Mal, Chaudhri.  
 Tara Singh, Sardar.  
 Tikka Ram, Chaudhri.  
 Ujjal Singh, Sardar Sahib Sardar.

#### ALLOTMENT OF TIME FOR DISCUSSION OF CONDUCT OF PROCES- SIONISTS AND HOURS OF SITTING.

**Premier :** With regard to the other motion of which notice has been given and about which a request has been made to me to give time for discussion, I am afraid that I would not be able to give them any other time except day-after-to-morrow from 5-30 to 7-30 P.M., if that suits your convenience.

**Dr. Gopi Chand Bhargava :** Perhaps it would be better to have it from 5 to 7 P. M.

**Premier :** Sir, if that suits my honourable friends, I would be prepared to give way, but I was thinking of the business of the House. It would not be possible to go beyond the 28th and we must finish the Rules of Procedure by that day. If we begin the motion at 5-30 instead of 5, it would give us another half an hour to get through the rules. I may remind my honourable friends opposite that I suggested that we should pick out the controversial rules and go through them so that we may finish the work more quickly.

**Dr. Gopi Chand Bhargava :** I have got the least objection to it.

**Premier :** I hope the Honourable Leader of the Opposition and his party will co-operate in finishing these rules before the 28th. We cannot in any case continue beyond the 28th. It is very likely that the Assembly session will be prorogued after that date and if the rules are not passed now we will be in the inconvenient position of having to observe the old rules during the budget session also. So, it is in the interests of the House that we should complete this business as early as possible. I, therefore, suggest that we may sit from 5-30 to 7-30 for this motion, so that we may have an extra half an hour for discussing rules of procedure.

**Dr. Gopi Chand Bhargava :** I am quite prepared to agree if other honourable members agree.

**Diwan Chaman Lal :** I doubt very much whether we can get through the rules as quickly as the Honourable Premier thinks. But, if necessary, we may hold a night sitting day-after-to-morrow and the day after, till we finish the work.

**Premier :** If that is the wish of the House I have no objection.

**Mr. Speaker :** I think the rules cannot possibly be finished unless we sit continuously for 6 to 8 hours daily from the 26th to the 29th instant. If the House decides to sit continuously for so many days and so many hours daily, it is difficult to say whether I shall be able to bear the strain. Under the Government of India Act, in the presence of the Deputy Speaker,

I cannot ask a member of the panel of chairman to take the chair, if I have to go out even for a minute. But the Deputy Speaker is in charge of the Rules, and, therefore, I cannot request him to take the chair. However, if the House hopes to finish consideration of the rules, I am prepared, come what may, to bear the strain. But I shall be extremely sorry if we fail to finish the rules even if we sit continuously for so many days and for so many hours daily.

**Premier :** We would not even dream of putting you to that inconvenience. I was suggesting that it would be possible to relieve my honourable friend the Deputy Speaker from that duty and some one of my colleagues, say the Finance Minister, may take that duty. He had been a Chairman, and I am sure, he will be prepared to help.

**Mr. Speaker :** Is there any objection to our meeting to-morrow ?

**Premier :** Unfortunately several of my colleagues have already fixed other engagements which they cannot alter now.

**Mr. Speaker :** Then we may meet the day-after-to-morrow at 11 o'clock.

**Premier :** I think that will also suit my honourable friends opposite if we sit at 11 o'clock on Thursday, with a break of one hour for meals. We can meet from 11 o'clock to 1 and from 2 to 7-30 o'clock ?

**Mr. Speaker :** The House may decide to put off questions. (*Voices from the Opposition :* No, no.) That is also one way to get out of the difficulty.

**Diwan Chaman Lall :** That is a very valuable right and should not be interfered with. If possible honourable members can take an extra hour. Instead of sitting up to 7, why not sit up to 8 o'clock ?

**Premier :** I am quite prepared to accommodate my friends opposite. Would it not be possible that instead of asking questions which have been put on the business paper for day-after-to-morrow and the following day, they may be taken as answered. The replies will be sent to members. That will give us two hours. Unless there are no particular questions on which you want to ask supplementary questions, we would be prepared to do so.

**Dr. Gopi Chand Bhargava :** We are quite prepared to give two hours or even more if the Honourable Leader of the House wants for the discussion of the rules. But, I think, we should not be deprived of the question hour.

*The Assembly then adjourned till 11 A.M. on Thursday, 27th January, 1938.*

1917

1. The first of the three main branches of the  
theology of the church is the doctrine of God.

2. The second of the three main branches of the

theology of the church is the doctrine of man.

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1917

1. The first of the three main branches of the  
theology of the church is the doctrine of God.

# PUNJAB LEGISLATIVE ASSEMBLY.

1ST SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Thursday, 27th January, 1938.

*The Assembly met at the Council Chamber at 11 A.M. of the clock. Mr. Speaker in the chair.*

## STARRED QUESTIONS AND ANSWERS.

SHOPKEEPERS IN THE HEADWORK COLONY AREA OF THE HAVELI PROJECT.

**\*1533. Sayad Mubarik Ali Shah :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the total number of applications received from different persons to be allowed to open shops within the area included in the headwork colony of the Haveli Project along with their names ;
- (b) how many of them were allowed by the authorities to open shops up to 1st November, 1937, within the said area ;
- (c) community-wise number of those who have opened shops and put up stalls in the said area ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Total number of applications received up to 16th January, 1938, from different persons to be allowed to open shops within the area included in the Headworks Colony of the Haveli Project is 169 and more applications are still being received.

(b) The Government shops have not yet been built and consequently none have so far been allotted or promised.

(c) In view of reply as per (b) *supra*, this question does not arise.

**Sayad Mubarik Ali Shah :** Is it a fact that certain shops have already been opened ?

**Minister :** I am afraid I have no information.

COMPENSATION FOR THE LAND ACQUIRED FOR THE HAVELI PROJECT.

**\*1534. Sayad Mubarik Ali Shah :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the total area in acres acquired so far and taken possession of by the Government in connection with the Haveli Project ;
- (b) whether most of the land-owners of such land demand land in compensation and several of them have already applied to the Government for the same ;

[ Sayed Mubarik Ali Shah. ]

- (c) whether it is a fact that no compensation has been paid to most of those zamindars so far and they have suffered loss in connection with the present *rabi* crop owing to this delay ;
- (d) (i) if the answer to (c) above be in the affirmative, the cause of this delay, and whether the Government intends to make up the said loss ; if so, how ; if not, why not ;
- (ii) whether the Government intends to take steps to expedite the settlement of the outstanding compensation demands ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) 2,452 acres only.

(b) Applications have in certain cases been received and the question of giving land in exchange for the land acquired is under consideration with the Financial Commissioners, Punjab.

(c) Compensation has not yet been paid in the majority of cases. Land under *rabi* cultivation was occupied only in a few cases.

(d) (i) The delay is due to the normal land acquisition procedure. Any loss involved will be taken into account in assessing the compensation.

(ii) A special Land Acquisition Officer with suitable staff has already been appointed to deal with the land acquisition in connection with the Haveli Project. Every effort is being made to settle the outstanding cases as soon as possible.

#### COTTON CROP IN THE PROVINCE.

**\*1535. Sayad Mubarik Ali Shah :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that the cotton crop in the province this year is much below the normal ; if so, whether the Government intends to give relief to the poor zamindars ; if so, in what measure and manner ?

**The Honourable Dr. Sir Sundar Singh Majithia :** Some damage was caused to the cotton crop in parts of the province by insect-pests and on account of failure of rain. Relief is already being given in the shape of suspensions and remissions of land revenue and *abiana* under the rules. Liberal *taccavi* grants are also being made where necessary.

#### VILLAGES IN SCHEDULES A AND B IN DISTRICT JHANG.

**\*1536. Sayad Mubarik Ali Shah :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that a few years back the area of a considerable number of villages in the Jhang district on the Lower Jhelum Canal was brought under Schedule " B " of *abiana* from Schedule " A " ;
- (b) whether it is a fact that some villages with the same sort of soil and other conditions as those of villages mentioned in (a) above are still under Schedule " A " ; if so, the action the Government intends to take in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) No. All villages in which the soil is poor were carefully examined in 1936, and Government believes that the benefit of the lighter assessment was then given to all villages in which the quality of the soil made special concessions desirable.

REPRESENTATION OF ZAMINDARS OF JHANG DISTRICT FOR GRANT OF LAND.

**\*1537. Sayad Mubarik Ali Shah :** Will the Honourable Minister of Revenue be pleased to state whether they have received representations from the zamindars of Jhang district for the grant of land either in the Haveli Project area or in other colonies of the Punjab ?

**The Honourable Dr. Sir Sundar Singh Majithia :** Yes ; but the Punjab Government regret that they are not in a position to entertain such petitions at the moment. All such matters are borne in mind when colonization schemes, such as that for the Hayeli Project, are under consideration.

IRRIGATION PUMPS ROUND AMRITSAR CITY.

**\*1538. Sardar Partab Singh :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether the irrigation pumps round the Amritsar City were disconnected towards the end of September, 1936, without making adequate arrangements for water supply from the Jethowal distributary of Upper Bari Doab Canal ; if so, whether the Government is aware of the fact that that was the time when the rice crop needed water the most ;

(b) whether it is a fact that several representations were then made by the zamindars on the tail of Jethowal distributary to the local authorities to the effect that the water supply was insufficient ;

(c) whether the local authorities took any steps to save the rice crop on the tail ; if not, why not ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) No. On the stopping of pumps at the end of September, 1936, the supply in the Jethowal distributary at head was adequately increased to serve the areas irrigated by pumped supply.

(b) No.

(c) Does not arise as per (a) *supra*.

JETHOWAL DISTRIBUTARY.

**\*1539. Sardar Partab Singh :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that there was no rain in the months of July and August, 1937, in the Amritsar district and that the *kharif* crop had chiefly to depend on canal water ;

[ S. Partab Singh. ]

- (b) whether it is a fact that the Jethowal distributary of the Upper Bari Doab Canal remained almost closed in the months of July and August, 1937 ; if so, reasons for the same ;
- (c) whether it is a fact that the canal officers of Jethowal distributary received an application from the zamindars of that *ilaga* complaining against the shortage of water supply during these months ; if so, whether the Government is prepared to place on the table of the House the said application ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) No. In July in four gauge stations the rainfall was between 4·05 to 10·05, but in August the monsoon was weak.

(b) No. It remained closed for 7 days in July and 5 days in August due to the closure of the main canal at head at Madhopur for passing floods in the river.

(c) No, a petition from one Sardar Kartar Singh was received ; the same is being dealt with in the ordinary routine and consequently could not be laid on the table.

#### JETHOWAL DISTRIBUTARY.

**\*1540. Sardar Partab Singh :** Will the Honourable Minister for Revenue kindly state—

- (a) whether it is a fact that the tail of Jethowal distributary remained dry on Mondays and Tuesdays during the period between 4th October, 1937, and 1st November, 1937 ; if so, reasons for the same ;
- (b) whether any complaints were made in this respect to the local canal officers by the zamindars of the area concerned ; if so, the action taken by them on that application ; if not, reasons for the same ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) In this period out of four Mondays and four Tuesdays it remained closed on two Mondays and two Tuesdays.

(b) Yes. No action is intended to be taken as the closing of the distributary was necessitated by the rotational running of channels due to short supply in the river.

#### JETHOWAL DISTRIBUTARY.

**\*1541. Sardar Partab Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the regulation of the Jethowal distributary is entrusted to the Executive Engineer, Raiwind, while all other management and administration of the aforesaid distributary rests with the Executive Engineer, Majitha ;
- (b) whether it is a fact that the zamindars of Jethowal distributary have complained to the Irrigation department that they are

suffering heavily from the dual system mentioned in (a) above; if so, the action the Government intends to take in the matter?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Jethowal distributary is in charge of the Executive Engineer, Majitha division. Its regulation is not entrusted to Executive Engineer, Raiwind division. He only looks after the equitable distribution of supplies to all the distributaries taking off from Main Branch Lower (and Jethowal distributary is one of them) when the supply is canal in short of indent.

(b) Yes. The matter is under investigation.

#### ROTATIONAL PROGRAMME OF UPPER BARI DOAB CANAL.

**\*1542. Sardar Partab Singh :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that the winter rotational programme of the Upper Bari Doab Canal begins each year in October when *rabi* crops and valuable vegetables are sown and the rice crop is ripe; if so, reasons for the same and whether the Government intends to change the times of the rotational programme of the said canal?

**The Honourable Dr. Sir Sundar Singh Majithia :** The Rabi Rotational Programme of Upper Bari Doab Canal generally begins in October because the supplies in the river in that month drop so low as to be insufficient to meet the full indent of the canal. The Government is unable to make a change unless the supplies in the river are equal to or in excess of the requirements of the canal.

#### CROWN LAND.

**\*1543. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the area of land the Government leased out on temporary cultivation in the province and the total amount of lease money received annually for the same;
- (b) whether there is any area of land the Government could give out on temporary cultivation; if so, why that has not been leased out;
- (c) the area of Crown land which is saleable and how much of it is commanded and how much uncommanded?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) The total area leased out for temporary cultivation in canal colonies was—

	Acres.
1984-85 .. .. .	417,050
1985-86 .. .. .	442,440

Figures for non-colony areas are not available. The total amount of rent received in respect of the area leased out for temporary cultivation in the whole province was—

	Rs.
1984-85 .. .. .	13,89,014
1985-86 .. .. .	22,56,074

[ Revenue Minister. ]

(b) Government is not aware of any such land. Government orders are that efforts should be made to find tenants for all available Government land.

(c) All land now on temporary cultivation is saleable. Uncommanded land is not usually regarded as saleable. Exact figures of unsaleable area are not easily available.

#### BURNING OF GURU GRANTH SAHIB AT DIPALPUR.

**\*1544. Lieutenant Sodhi Harnam Singh :** Will the Honourable Premier kindly state whether the Government is aware of the fact that recently Guru Granth Sahib was burnt at Dipalpur, district Montgomery ; if so, whether the culprits have been traced ; if not, why not ?

**Parliamentary Secretary (Mir Maqbool Mahmood) :** Government is aware that the Granth Sahib in the Dharamsala Hira Singh at Dipalpur was set on fire on the night between the 22nd and 23rd November, 1937. The culprits have not yet been traced, but investigation is proceeding under the direct supervision of the district officers and a reward has been offered for information leading to their arrest.

**Khan Muhammad Yusaf Khan :** May I know what is the position now ?

**Parliamentary Secretary :** I am happy to state that different communities have come to a compromise under which healthy relations have been restored. I am particularly delighted to state that on the 7th January a general procession of Hindus, Muslims and Sikhs was taken out in the local area and Guru Granth Sahib was installed at the place where it was previously burnt. On the following day Sikhs celebrated the birthday of Guru Gobind Singh without any untoward incident. So far amicable relations continue and Government hope that they will continue in future.

#### DIPALPUR, SOHAGPURA CANALS AND KARTARPUR MINOR.

**\*1545. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Revenue kindly state—

- (a) the total number of days for which Dipalpur Canal ran in 1937, and the number of days for which it ran with full supply ;
- (b) whether it is a fact that this canal supplies water from the 15th April to the 15th October ; if so, reasons why it did not run for this period at full supply ;
- (c) the total number of days for which lower Sohagpura Canal ran from 1935 to 1937 and the number of days for which it ran with full supply ;
- (d) the total number of days for which Kartarpur minor ran in 1935, 1936 and 1937 ; and the number of days for which Kartarpur minor ran with full supply during the same years ;
- (e) whether it is a fact that the outlets on these canals were designed for full supply ;

- (f) whether it is a fact that the land which is irrigated in September for *rabi* is shown in the papers as irrigated for *kharif* also to show 66 per cent. of irrigation ; if so, reasons for the same ;
- (g) whether the Government is aware of the fact that the canal water in October is supplied for 15 days only by rotation, and people are obliged to irrigate their lands for *rabi* in September ;
- (h) if the answer to (f) above be in the affirmative, the steps the Government intends to take in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) 173 and 96 days, respectively.

(b) (i) Yes, if available.

(ii) Supply was not available in the river for meeting full indents of all the Sutlej Valley Canals and therefore they had to share the available supply.

(c) The Lower Sohag Branch ran for—  
159 days in 1935,  
158 days in 1936,  
170 days in 1937,

and with full indent for—

88 days in 1935,  
71 days in 1936, and  
97 days in 1937.

(d) Kartarpur distributary was open for—  
130 days in 1935,  
141 days in 1936, and  
146 days in 1937.

Ran with full indent for—

109 days in 1935,  
120 days in 1936, and  
129 days in 1937.

(e) Outlets are being designed to run proportionately both at full supply and at normal supply.

(f) Irrigation done in September is recorded in September and in the *kharif*. If area irrigated is sown in *rabi*, the area is transferred to the *rabi khasrah*. The object is not to show any percentage of irrigation but to ensure that irrigated areas are promptly recorded.

(g) This is generally the case.

(h) None, as all the available water is being distributed.

#### GREY CANALS, FEROZEPURE.

**\*1546. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Revenue kindly state—

- (a) whether the Government is aware of the fact that Grey Canals, Ferozepore, are not getting regular supply of water and that there is no weir in the river ;

[ Lt. Sodhi Harnam Singh. ]

- (b) whether the Government is also aware of the fact that owing to irregular water supply crops of the zamindars irrigated by this canal are usually damaged ; if so, the action the Government intends to take to regulate the water supply on these canals ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) Yes, to some extent. The Grey Canals being inundation channels the supply of water depends on the volume of water in the river, which cannot be regulated.

#### BHAKRA DAM SCHEME.

**\*1547. Rai Sahib Chaudhri Het Ram :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the date and time when the idea of the Bhakra Dam Scheme originated with the Punjab Government and the amount of expenditure incurred on that scheme so far by it ;
- (b) whether before incurring any expenditure in this connection the Punjab Government had an opportunity of negotiating about this matter with Bilaspur State ; if so, whether the negotiations were carried on direct or through the Government of India ;
- (c) whether the Government is prepared to lay on the table of the House a copy of the correspondence on this subject ;
- (d) the stage which the Bhakra Dam Scheme has reached up till now and the approximate time when the scheme is expected to be finally undertaken ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) The proposal to store water on the Sutlej river appears to have originated in a note by (Sir Louis Dane) the Lieutenant-Governor of the Punjab in 1908.

The amount of expenditure incurred so far on this account is Rs. 15 lakhs.

(b) No. Negotiations with Bilaspur State were not initiated before investigations were made because it was necessary to know whether there would be any necessity for negotiations.

(c) No.

(d) The honourable member is referred to the reply to question No. \*802<sup>1</sup>.

**Chaudhri Anant Ram :** Is there any scheme under consideration of the Government to supply water to that area ?

**Minister :** I think I have already replied to such like questions—rather supplementary questions. If the honourable member will kindly refer to these, he will find my replies there.

## INCREASED SUPPLY OF WATER FOR HISSAR DISTRICT.

**\*1548. Rai Sahib Chaudhri Het Ram :** Will the Honourable Minister of Revenue be pleased to state whether the Government has adopted any measures so far as to supply a greater quantity of water to the Hissar district from the Western Jumna Canal to protect that district from frequent famines and draught ?

**The Honourable Dr. Sir Sundar Singh Majithia :** The attention of the honourable member is invited to reply given to the question No. \*970.

## SPREADING OF EDUCATION IN HISSAR DISTRICT.

**\*1549. Rai Sahib Chaudhri Het Ram :** Will the Honourable Minister of Education be pleased to state—

- (a) the percentage of literacy in the Hissar district for this year and the last year separately ;
- (b) whether the Government has so far considered or is prepared to consider the question of giving more attention in the spread of education in the said district by granting special grants for the purpose ?

**The Honourable Mian Abdul Haye :** (a) 8·2 in 1935-36 and 11 in 1936-37 which shows an improvement.

(b) The Hissar district is graded at 70 per cent. for purposes of grant from Government and receives annually its share of the money distributed as grants to district boards. The measure of Governments' financial assistance depends on the actual expenditure of the district board on education. It is impossible in these days of financial stringency to pay any special grants to district boards for any further expansion of education.

## INTERMEDIATE COLLEGE AT HISSAR.

**\*1550. Rai Sahib Chaudhri Het Ram :** Will the Honourable Minister of Education be pleased to state—

- (a) whether it is a fact that the Honourable Mr. Manohar Lal as Minister for Education once remarked in his speech at Hissar that the Government was considering the question of opening an intermediate college there ;
- (b) if the answer to part (a) be in the affirmative, whether that remark represented the intention of the Government in the matter, and if so, when the college at Hissar may be expected to be opened ?

**The Honourable Mian Abdul Haye :** (a) Yes.

(b) The proposal has been dropped as Government is not in favour of starting any more intermediate colleges in the province.

## ODES IN HISSAR DISTRICT.

**\*1551. Rai Sahib Chaudhri Het Ram :** Will the Honourable Premier be pleased to state—

- (a) the number of prosecutions started by the Hissar police against the Odes for murders committed by the latter during the last five years with the result in each case ;
- (b) the number of zamindars murdered by the Odes during that period ;
- (c) whether it is a fact that the zamindars of the Hissar district have often sent representations to Government to the effect that their lives and crops be protected from the Odes ; if so, the special steps that have been taken or are proposed to be taken in the matter ?

**Parliamentary Secretary** (Sardar Sahib Sardar Ujjal Singh) : (a) and (b) Nil.

(c) No such representations have been received from the Hissar district, though verbal complaints were made to my honourable colleague, the Minister of Development, in the course of one of his tours last summer. As has already been explained, the whole Ode question is at present under the consideration of Government.

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RECRUITMENT FROM HISSAR FOR THE POST OF INSPECTOR OR DEPUTY SUPERINTENDENT OF POLICE.

**\*1552. Rai Sahib Chaudhri Het Ram :** Will the Honourable Premier be pleased to state whether any one from the Hissar district has so far been recruited as Inspector or Deputy Superintendent of Police direct ; if not, why not ?

**Parliamentary Secretary** (Sardar Sahib Sardar Ujjal Singh) : None of the directly recruited Deputy Superintendents or Inspectors at present in the service belong to the Hissar district. These recruitments are not made on a district basis.

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RECRUITMENT FROM HISSAR FOR EXECUTIVE AND JUDICIAL POSTS.

**\*1553. Rai Sahib Chaudhri Het Ram :** Will the Honourable Premier be pleased to state the number and names of the persons belonging to the Hissar district who have so far been recruited for the Executive and Judicial branches of the Punjab Civil Service and also for any of the posts in the Irrigation, Co-operative and Agricultural departments with the date on which each was so recruited ?

**Parliamentary Secretary** (Mir Maqbool Mahmood) : The information required by the Honourable Member can be collected from the History of Services of Gazetted Government Servants, a copy of which will be found in the Assembly Library.

FILLING OF VACANCIES IN THE DEPUTY COMMISSIONER'S OFFICE,  
FEROZEPORE.

**\*1554. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the number of vacancies that were filled in the offices under the direct or indirect control of the Deputy Commissioner, Ferozepore, during the time Mr. Aminuddin, I.C.S., has been Deputy Commissioner at Ferozepore ;
- (b) procedure adopted to fill up these vacancies ;
- (c) the number separately of Hindus, Sikhs and Muslims who have been taken to fill up these vacancies ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Two.

(b) Selection was made in accordance with rules 10 (a) of the Punjab District Subordinate Service Rules, 1933.

(c) One Hindu and one Muslim.

FREE SUPPLY OF VEGETABLES FROM JAIL GARDENS TO GOVERNMENT  
OFFICIALS.

**\*1555. Lieutenant Sodhi Harnam Singh :** Will the Honourable Finance Minister be pleased to state whether the Government officials are allowed to get vegetables from the Jail gardens free of charge ; if so, the grounds on which they are so allowed ?

**The Honourable Mr. Manohar Lal :** The system in force is described in paragraph 961 of the Punjab Jail Manual. Paragraph 292 (b) of the Report of the Indian Jails Committee, 1919-20 shows that it is common to most of the provinces in India. It not only removes a possible inducement to corrupt practices, but acts as an encouragement to the jail subordinates to take an interest in the prison gardens.

**Diwan Chaman Lal :** May I ask whether all the products of jail are given free of charge to Government officials ?

**Minister :** I have already answered the question but may I for the information of the honourable member say . . . .

**Diwan Chaman Lal :** I have heard the Honourable Minister's reply. In view of the reply given by him regarding the free issue of vegetables being conducive to keeping services free from corruption, may I ask if that also applies to other produce of jails ?

**Minister :** What other produce ?

**Diwan Chaman Lal :** *Munj* mats, carpets, *durries*, etc. Are these things also supplied free of charge ?

**Minister :** No. As a matter of fact only an infinitesimally small proportion of vegetables is allowed not to Government officials as the questioner suggests but to subordinate officials and small jail staff like the warders, etc.

**Lala Deshbandhu Gupta :** Is the furniture supplied on reduced rates to jail officials ?

**Minister :** I do not see how this question arises out of the main question. The question was about the vegetables. If the honourable member is so curious, then I might say that no furniture is supplied free to anybody.

**Pandit Muni Lal Kalia :** Are vegetables primarily required for the prisoners ?

**Minister :** If you had referred to the paragraph that I have cited, it would have told you that only a very small—infinitesimally small—portion of the vegetables grown is available to junior jail staff such as warders, etc.

**Diwan Chaman Lall :** Is it the Honourable Minister's considered opinion that this small quantity of vegetables available to junior staff of jails really leads to eradication of corruption ?

#### TOUR BY THE DEPUTY COMMISSIONER, FEROZEPORE.

**\*1556. Lieutenant Sodhi Harnam Singh :** Will the Honourable Premier be pleased to state—

- (a) the amount of travelling allowance received by the Deputy Commissioner, Ferozepore, for each month since his appointment as Deputy Commissioner, Ferozepore ;
- (b) the number of villages in the said district he has visited so far where the approach was not by pucca road, canal road or by train ;
- (c) the number of villages in that district where he has been so far ;
- (d) the number of days he put up in tents while on tour of the *ilaga*, so far on horseback ;
- (e) whether the Government has issued instructions to all the district officers in the province to go into the interior of the districts on horseback and to make personal acquaintance with the villagers ?

**Parliamentary Secretary (Mir Maqbool Mahmood) :** (a) to (d) Government is as anxious as the honourable member that deputy commissioners should visit rural areas and scrutinise their touring with care. It is not in the public interest to go into details.

(e) Yes.

#### PROTECTION OF TRADE AND INDUSTRY AT LUDHIANA.

**\*1557. Lala Deshbandhu Gupta :** Will the Honourable Minister of Development be pleased to state whether Government are aware of the fact that Ludhiana is one of the biggest hosiery centres in India where at present cut-throat competition is going on leading to the destruction of the whole trade and to the wiping out of the chances of industry ; if so, whether Government proposes to take some suitable action to protect trade and industry at Ludhiana ?

**The Honourable Chaudhri Sir Chhotu Ram :** (i) Government are aware that Ludhiana is a very large hosiery centre, but they are not aware of the existence of the type of competition suggested by the honourable member.

(ii) Does not arise.

**Lala Deshbandhu Gupta :** Has Government made any enquiries on this point ?

**Minister :** No, Sir.

**Lala Deshbandhu Gupta :** Is it not a fact that the hosiery industry is really jeopardised ?

**Minister :** That is a mere statement.

**Lala Deshbandhu Gupta :** I want to know whether Government has taken care to enquire into this question.

**Minister :** Government had no occasion to do so.

**Pandit Muni Lal Kalia :** Is there competition between the Ludhiana manufacturers and the Japan traders ?

**Minister :** But the question relates only to competition between owners of hosiery factories at Ludhiana alone.

**Pandit Muni Lal Kalia :** The question relates to competition between these people and outsiders (*Voices :* No, no). Is there competition between the Hosiery Institute in Ludhiana and these manufacturers ?

**Minister :** Not to my knowledge.

#### HOSIERY FACTORIES AT LUDHIANA.

**\*1558. Lala Deshbandhu Gupta :** Will the Honourable Minister of Development be pleased to state whether he is aware of the fact that most of the hosiery factories at Ludhiana are working in dark and dingy residential houses and for that reasons are unable to fulfil the provisions of the Factories Act ; if so, what action Government proposes to take in this respect in public interest ?

**The Honourable Chaudhri Sir Chhotu Ram :** Part (i) Government are aware that more than half the hosiery factories in Ludhiana are located in unsuitable buildings.

Part (ii) If any honourable member would kindly make any suggestions to improve the present state of things the suggestions will receive very careful consideration. The Director of Industries has already been asked to consult local factory owners and submit his own suggestions on this problem.

**Lala Deshbandhu Gupta :** Has Government received any representation in this connection from the hosiery manufacturers of Ludhiana suggesting that land may be made available to them for constructing factories on small scales on modern lines ?

**Minister :** Does it arise out of my answer ?

**Lala Deshbandhu Gupta :** Yes, because the Honourable Minister is inviting suggestions. I want to know whether any suggestions have already been made to them or not ?

**Pandit Muni Lal Kalia :** Was any representation made to the Honourable Minister on his recent visit to Ludhiana on this point ?

**Minister :** I do not remember having received any such suggestion or representation.

**Diwan Chaman Lall :** May I ask the Honourable Minister whether any reports from the staff have been received by the department concerned regarding breaches of the Factories Act by the owners of these factories ?

**Minister :** Does it arise out of my answer ?

**Diwan Chaman Lall :** The question is that most of the factories at Ludhiana are working in dark and dingy residential houses and for that reason are unable to fulfil the provisions of the Factories Act. How does it not arise out of that question ?

I ask whether reports of these breaches of the Factories Act have been received by the Honourable Minister.

**Minister :** So far as I can recollect, no such reports have been received by me.

#### PINDIGHEB MUNICIPAL COMMITTEE.

**\*1559. Sardar Hari Singh :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether it is a fact that Pindigheb Municipal Committee is an entirely nominated body ;
- (b) the year in which the Municipality was constituted at that place ;
- (c) whether his attention has been drawn to a strong public demand by the citizens concerned for placing the Municipal Committee on an elective basis ;
- (d) the action proposed to be taken by the Government in the matter ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) , (b) and (d) The honourable member is referred to the answer to starred question No. \*1451.<sup>1</sup>

(c) Yes.

#### REMISSION IN GOVERNMENT DUES IN MONTGOMERY DISTRICT ACCORDING TO THE SLIDING SCALE.

**\*1560. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the amount of remission in Government dues that has been allowed according to the sliding scales this year in Montgomery district and also the amount so remitted during the last two years separately ;
- (b) whether it is a fact that the amount remitted according to sliding scale system this year in the said district is very small as compared with the amount so remitted during the last two years ; if so, why ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a)—

Harvest.	Amounts of the sliding scale remissions.	
	Rs.	
Kharif 1935 .. .. .	..	3,21,571
Rabi 1936 .. .. .	..	3,71,223
Kharif 1936 .. .. .	..	3,10,531
Rabi 1937 .. .. .	..	2,84,945
Kharif 1937 .. .. .	..	2,92,308

(b) The decrease is due to variation in the rate of remission which is based on the prices prevailing in the previous agricultural year.

#### REMISSION IN LAND REVENUE AND ABIANA IN MONTGOMERY DISTRICT.

**\*1561. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that the zamindars of district Montgomery recently applied to the Deputy Commissioner of that district requesting for remission in land revenue and water rates on cotton crop this year which has been very much damaged by *tela* ; if so, whether the Deputy Commissioner, Montgomery, has forwarded the case to the Government with his recommendation that 10 per cent. of the land revenue and abiana be remitted as a special case ;

(b) if the answer to the above be in the affirmative, the action that the Government proposes to take in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes. Applications were received by the Deputy Commissioner from time to time. These were dealt with under the ordinary *kharaba* rules. The answer to the latter part of the question is in the negative.

(b) Does not arise.

#### MATHRA DAS HOSPITAL AT MOGA.

**\*1562. Lieutenant Sodhi Harnam Singh :** Will the Honourable Minister for Education be pleased to state—

(a) the amount of grant-in-aid that is being given to Mathra Das Hospital at Moga ;

(b) whether the Government intends to provincialise it at some future date ; if not, why not ?

**The Honourable Mian Abdul Haye :** (a) Rs. 5,000 per annum less 12½ per cent. on account of emergency cut.

(b) No. In 1928 and 1931 the question of provincialization of this hospital was referred to the District Board, Ferozepore, but the Board did not agree to the proposal.

DECREES BY CIVIL COURTS AND ATTACHMENT OF PROPERTY BY INDIAN  
MERCHANTS RESIDING IN CANTONMENTS.

**\*1563. Lala Deshbandhu Gupta :** Will the Honourable Finance Minister be pleased to state whether Government are aware of the fact that Indian merchants residing in Military Cantonment areas in the Punjab suffer heavy losses on account of the great difficulty generally experienced by them in getting warrants for attachment of the property of the wives of European Military Officers and soldiers executed which are issued by Civil Courts in the Punjab for non-payment of the dues decreed against them ; if so, the action that the Punjab Government propose to take to safeguard the interests of such Indian merchants ?

**The Honourable Mr. Manohar Lal :** No complaints of this kind have been received.

**Lala Deshbandhu Gupta :** Has the attention of Government been drawn to a statement which has recently appeared in the press about one Mrs. Jarvis having evaded service of the attachment warrant and the helplessness of the Simla Court in the matter ?

**Minister :** My attention has not been drawn to any such statement.

**Lala Deshbandhu Gupta :** Do Government propose to take action if their attention is drawn to it ?

**Minister :** We shall be prepared to examine the position.

WATERLOGGING IN LYALLPUR.

**\*1564. Khan Sahib Rai Shahadat Khan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that waterlogging is speedily spreading in the district of Lyallpur ;
- (b) whether it is a fact that some of the higher authorities visited the area on Rajbahas Dangali, Nahra and Buchiana which has been chiefly so damaged ;
- (c) if so, the report of the officers who visited this area and their proposals in this connection ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) *Thur* has been gradually spreading in the Jaranwala tahsil of the Lyallpur district during the last 4 years, particularly in the Dangali and Nahra extensions.

(b) Yes.

(c) It is against constitutional practice to lay on the table the report or the proposals of the officers but Government is alive to the situation and is taking measures to combat the evil.

GRANTS OF LANDS TO TIRNI PAYERS OF BARAGHAR AND SAYADWALA  
THANAS.

**\*1565. Khan Sahib Rai Shahadat Khan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that the area of the thanas Baraghar and Sayadwala in district Sheikhpura was previously in the Montgomery district ;

- (b) whether it is a fact that in 1912-13 it was included in the Lyallpur district ; and in 1922 it was again included in the Sheikhpura district ;
- (c) whether it is a fact that the Settlement Officer, Sheikhpura, prepared a list of the *tirni* payers of this *ilaga* in 1927-28 ; if so, the number of persons on that list and the number of those among them who were granted lands in Rakh Pir Mahal and the reasons for not granting lands to others of the same category, if any ;
- (d) whether the Government now intend to grant land to those persons who were not granted any land but whose names were on the list mentioned in (c) above, ; if not, why not ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) Yes.

(c) Lists of *tirni* payers of the *ilaga* were prepared by the Deputy Commissioner in 1927 according to which the number of such families was 1,458. Under the orders conveyed in Punjab Government letter No. 1255-C., dated the 3rd April 1934, (73) rectangles on well sinking conditions were allotted to those found most deserving

(d) Government does its utmost to distribute land available to those most deserving. There must always be some border line cases which are difficult. Sometimes spurious claims are advanced and have to be eliminated. In no case has any one a right to such land and entry on a list confers no title whatever.

#### TIRNI PAYERS' LIST.

**\*1566. Khan Sahib Rai Shahadat Khan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that a list of the *Tirni* payers of Rahana, Baggi Dal, Kannal and Dangali *ilaga* in the district of Lyallpur was prepared in the year 1928 ;
- (b) the reasons or intentions of Government for the preparation of such a list ;
- (c) the action the Government has so far taken in this respect ;
- (d) if no action has so far been taken, whether Government is prepared to take any action now in this matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Lists for Rahana, Baggi Dal were prepared in 1928, those for Dangali in 1936-37. No lists have been prepared of *tirni guzars* in Khannal.

(b) To provide to the extent to which land was available for those who, though eligible for consideration at the time of allotment of grants on camel terms on the Lower Chenab Canal, did not succeed in being selected for such grants.

(c) Land was allotted to *tirni guzars* of Rahana, Beggi Dal on Burala Extension in 1935.

(d) Does not arise.

REPRESENTATION BY THE CENTRAL ASIAN TRADERS AND  
CHARAS DEALERS ASSOCIATION HOSHIARPUR.

**\*1567. Sardar Hari Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether the Government has received a representation, dated the 2nd November, 1937, by the Central Asian Traders and Charas Dealers Association, Hoshiarpur; if so, will he please lay a copy of the same on the table of the House;
- (b) whether the issues raised in the said representation were given consideration to by the Government; if so, with what result;
- (c) whether the Government has received another representation, dated the 27th December, 1937, from the said Association protesting against the Government Notification No. 5097-Excise, dated 14th December, 1937, if so, the substance of that representation and the action Government propose to take in the matter?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) Yes. After the fullest consideration it was decided to adhere to the price fixed, i.e., Rs. 4-8-0 per sear for sale to licensed dealers within the Punjab.

(c) Yes. A deputation of Central Asian traders was received by me on the 6th January, 1938 and they were given a full hearing of their case for enhancement of the price from Rs. 4-8-0 fixed. It was decided that in the view of Government this price allows the traders a reasonable profit and no immediate alteration is contemplated.

SCHOOL FOR DEAF-MUTE CHILDREN.

**\*1568. Sardar Hari Singh :** Will the Honourable Minister for Education be pleased to state whether the Government has considered the question of opening a school for the deaf-mute children of the province; if so, with what result?

**The Honourable Mian Abdul Haye :** Attention is invited to the reply given to the question No. \*1255<sup>1</sup> asked by Lala Duni Chand, M. L. A.

OBSCENE MATTER IN TEXT BOOKS.

**\*1569. Sardar Hari Singh :** Will the Honourable Minister for Education be pleased to state whether he is aware of the public complaints regarding the presence of obscene matter in the text-books prescribed for study in the educational institutions of the province; if so, the action taken by the Government in the matter?

**The Honourable Mian Abdul Haye :** No such complaints have been received about the text books prescribed by the Punjab Education Department. So far as the text books prescribed by the University are concerned no public complaints were received till last year. The complaints received related mainly to text books in Classical and Vernacular languages some of

which had been prescribed for many years. After examinations by competent persons such of the passages as required deletion were omitted in accordance with the decision of the Senate, and the attention of the Board of Studies concerned was drawn to this fact.

**Sardar Hari Singh :** May I ask the Honourable Minister whether he is unaware that articles have appeared and are still appearing in the local press and in an English daily regarding obscene matter in the text books.

**Minister :** I have already answered that question.

**Sardar Hari Singh :** Will the Honourable Minister be pleased to state whether he has received any complaint?

**Minister :** So far as books prescribed by the department are concerned, I do not think we have received any complaints.

**Sardar Hari Singh :** I am asking about those books.

**Minister :** If the honourable member brings such cases to my notice I will certainly take necessary action.

APPLICATION FOR TRANSFER OF SARDAR TEJA SINGH SWATANTAR,  
A STATE PRISONER, TO ANOTHER JAIL.

\*1570. **Sardar Hari Singh :** Will the Honourable Premier be pleased to state whether it is a fact that Bibi Tej Kaur, wife of Sardar Teja Singh Swatantar, M.L.A., a state prisoner in the Campbellpur Jail, has applied to the Government for the transfer of her husband to a jail nearer to her home; if so, the grounds of the petition and the action the Government took on the same?

**Parliamentary Secretary (Mir Maqbool Mahmood) :** Yes. A copy of the petition is laid on the table. A reply has been sent that after careful consideration of the case Government are unable to accede to the request for the removal of the State prisoner to another jail.

**Sardar Hari Singh :** May I know the reasons?

**Parliamentary Secretary :** It is not in the public interest to disclose the reasons.

*Copy of an application, dated 3rd January, 1938, from Bibi Tej Kaur, village Panev, Post-Office Ghnewala, district Amritsar, to the Prime Minister, Government of the Punjab, Lahore.*

I beg respectfully to draw your kind attention to the following facts :—

My husband Sardar Teja Singh 'Savtantar' is a State prisoner in Campbellpur Jail. I am entitled to interview him once a week. But he is imprisoned at such a distance that I have to undergo the following difficulties in seeing him.

Afraid of travelling alone, I have to take somebody along with me to Campbellpur and pay his fare also.

Secondly, if I take advantage of my right of weekly interviews, the allowance granted to me is too small a sum to pay for four trips of two persons to Campbellpur. This sum amounts to Rs. 40.

Having no child upon whom I could bestow my attention and love, I have no body to think of but my husband who is a prisoner tucked up in a far away jail.

I request you, therefore, very humbly that my husband S. Teja Singh 'Savtantar' be transferred to some nearby jail.

I hope you will pay your kind and personal attention to this case and oblige.

## LIQUOR SHOP ON RAILWAY ROAD, AMRITSAR.

**\*1571. Sardar Hari Singh :** Will the Honourable Minister for Revenue be pleased to state whether his attention has been drawn to the public complaint regarding the location of liquor shops on the Railway Road, at Amritsar, ; if so, the action proposed to be taken by the authorities in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** No such complaint has been brought to the attention of the Government.

## EMOLUMENTS OF ZAILDARS AND LAMBARDARS.

**\*1572. Rai Sahib Chaudhri Het Ram :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that the Punjab Legislative Council resolved in one of its sessions held in March, 1921, that the emoluments of the Zaildars and Lambardars be doubled ; if so, the reasons why that resolution has not been given effect to so far ?

**The Honourable Dr. Sir Sundar Singh Majithia :** Yes, but the Government is not prepared to accept this proposal. They consider that the amount of remuneration is not the principal attraction of these posts, and the additional cost, which will amount to about 25 lakhs, is prohibitive.

## PARLIAMENTARY AND PRIVATE SECRETARIES.

**\*1573. Diwan Chaman Lall :** Will the Honourable Premier be pleased to state—

- I. (a) the pay of each parliamentary secretary or parliamentary private secretary ;
- (b) whether these secretaries draw their allowances as members of the Assembly in addition to their salaries ;
- II. (a) the total amount of travelling allowance drawn by parliamentary secretaries since the assumption of their office ;
- (b) what sums have been so drawn by each parliamentary secretary from the date of his appointment up to the 15th December ;
- (c) the nature of duties for the performance of which travelling allowance was drawn in each case ;
- III. the total expenditure incurred in connection with the payments made to the parliamentary secretaries from the date of their appointment up to the 15th December ;
- IV. the duties performed by the parliamentary secretaries from the date of their appointment up to the 15th December ;
- V. whether it is a fact that no official department files have been shown to or dealt with by the parliamentary secretaries up to the 15th of December ?

**The Honourable Dr. Sir Sundar Singh Majithia (Revenue Minister, :** I. (a) Parliamentary Secretaries are paid at the rate of Rs. 500 a month each except the Parliamentary Secretary, Political and Parliamentary Secretary, General who receive Rs. 750 per mensem and Rs. 625 per mensem, respectively.

(b) Yes.

II. (a) Rupees 826-12-0.

(b) Parliamentary Secretary, Revenue and Irrigation Rs. 826-12-0.

(c) Public business.

III—V. The attention of the honourable member is invited to the answer given to starred questions No. \*939,<sup>1</sup> and \*1581.<sup>2</sup>

**Sardar Hari Singh :** May I ask what the nature of the public business was ?

**Minister :** In the case of the Parliamentary Revenue Secretary, he was sent to look into the matter of the Sher Khan dispute.

**Sardar Hari Singh :** In regard to the Private Secretary ?

**Minister :** Both the Secretaries went for the same purpose.

**Lala Deshbandhu Gupta :** Is it open to Parliamentary Secretaries to carry on their professional work or business along with the duties imposed on them as Parliamentary Secretaries ?

**Minister :** That does not arise.

**Diwan Chaman Lall :** In view of the fact that these Parliamentary Secretaries are paid by this House as well as allowances under the Government Allowance Rules, are the Parliamentary Secretaries wholetime Government servants or not ?

(No answer).

**Diwan Chaman Lall :** This is a question of great importance to this House as well as to the public. May I ask whether it is a fact that they are Government servants or not ?

**Minister :** I should like to look into the matter. If my friend gives me notice I will do so.

**Diwan Chaman Lall :** May I ask whether in actual work one of these Parliamentary Secretaries is acting in private service elsewhere ?

**Mr. Speaker :** A question to that effect was disallowed by His Excellency recently.

**Diwan Chaman Lall :** But this question is one which concerns the privileges of this House, whether an official who is a wholetime official can continue to be in the service of an Indian Prince or in private service ?

**Mr. Speaker :** That question was disallowed by His Excellency and therefore I cannot allow it.

**Diwan Chaman Lall :** Will the Honourable Minister let this House have the information whether any Parliamentary Secretary is working as a part time official or as a wholetime official or whether any Parliamentary Secretary is working part time here and part time elsewhere ?

**Mr. Speaker :** It is the same question worded differently.

**Lala Deshbandhu Gupta :** Are there any terms of appointment of these Parliamentary Secretaries ?

<sup>1</sup>Pages 294-95 ante.

<sup>2</sup>Page 972 infra.

**Diwan Chaman Lall :** Sir, the point is very important. The issue raised is whether a Parliamentary Secretary or a Parliamentary Private Secretary can continue to be in private employ when he is receiving emoluments and salaries and allowances as a whole-time official of the Punjab Government. That is an important matter for us to decide.

**Mr. Speaker :** The honourable member can give notice and have a reply.

NUMBER OF PERSONS AGAINST WHOM ACTION WAS TAKEN FOR  
POLITICAL OFFENCES.

**\*1574. Diwan Chaman Lall :** Will the Honourable Premier be pleased to state—

- (a) the number of persons against whom action was taken during the period from the 22nd of June, 1937, to the 17th of December, 1937, (i) for political offence, (ii) under section 124-A, Indian Penal Code, and (iii) under the Criminal Law Amendment Act, separately, giving names, offences and sentences in each case ;
- (b) the number of persons interned or externed since the 22nd of June, 1937, up to the 17th of December, 1937, with their names and reasons for the action taken in each case ;
- (c) the number of persons interned or externed or tried under section 124-A, Indian Penal Code, or under the Criminal Law Amendment Act between the 1st of April and the 21st of June, 1937 ?

**Parliamentary Secretary :** (Mir Maqbool Mahmood) : (a) (i) It is not understood what the honourable member means by the expression 'political offences.' If he will explain the nature of the information required by him, I shall be glad to supply it.

(ii) and (iii) and (b) Eight persons were prosecuted under section 124-A, Indian Penal Code, including three who were also prosecuted under section 153-A, Indian Penal Code. One of them has been sentenced to 6 months' rigorous imprisonment and a fine of Rs. 100, another to 1½ years' rigorous imprisonment and two to 1 year's rigorous imprisonment. The cases against the remaining four persons are pending in court.

Nine persons were detained under section 2 of the Punjab Criminal Law (Amendment) Act, 1935 ; two were restricted under section 3 and seven were externed from the Punjab under the same section. These persons had acted or were about to act in a manner prejudicial to the public safety and peace. Two persons were prosecuted under section 5 of the Punjab Criminal Law (Amendment) Act, 1935, for breach of restriction or externment orders and were sentenced to six and nine months' imprisonment, respectively.

It is not in the public interest to disclose the names of the persons against whom action was taken.

(c) One person was detained under section 2 of the Punjab Criminal Law (Amendment) Act, 1935, three persons were restricted under section 3 and one was externed from the Punjab under the same section. There was

no prosecution under the Criminal Law (Amendment) Act. One person was prosecuted under section 124-A, Indian Penal Code.

**Lala Deshbandhu Gupta :** Is it a fact that one Baba Karam Singh who was a regulation III prisoner was externed the day he was released. Is he also included in the seven who were externed ?

**Parliamentary Secretary :** As to the exact particulars of this case I would require notice, but the list gives the up-to-date position.

**Lala Deshbandhu Gupta :** How does Government justify the statement made by the honourable member that they had indulged in certain actions which were prejudicial to law or something and that justified the externment, while the gentleman was externed the day he was released ?

**Mr. Speaker :** The honourable member need not answer that question.

**Diwan Chaman Lall :** May I ask the honourable member what he means by the expression 'prejudicial to public safety' ?

**Parliamentary Secretary :** That means public safety within the terms of the Criminal Law Amendment Act.

**Diwan Chaman Lall :** May I ask whether each one of these cases was considered by Government on facts which were communicated to Government relating to the prejudice of peace or danger to public safety ?

**Parliamentary Secretary :** I can assure the honourable members that each case was examined within the terms of the Criminal Law Amendment Act and I have the authority that certain cases reported for action had no action taken upon them because it was not considered that the action was prejudicial to the public safety.

**Diwan Chaman Lall :** How did Government come to the conclusion that an individual is not acting within the terms of the law when on the day he is released he is externed on the grounds of being prejudicial to public safety and peace ?

**Parliamentary Secretary :** I have already stated that if any particular case is raised, I would require notice and go into the question.

**Diwan Chaman Lall :** When the honourable member says public safety and peace, may I ask what were the facts relating to public safety and peace in the case of a man who was externed the day he was released ?

**Parliamentary Secretary :** I regret that it is not in the public interest to disclose all the facts, but I gather that all these cases have been examined.

**Diwan Chaman Lall :** What does the honourable member mean by public interest and not disclosing the names in public interest ?

(No answer.)

**Diwan Chaman Lall :** May I ask whether it is not a fact that the names of all those individuals are pretty well known to every body in the press? If so, how can the disclosing of names endanger public interest ?

**Bhagat Hans Raj :** May I ask the number of persons detained under the Criminal Law Amendment Act, Martial Law, Regulation III of 1818 before June, 1937 ?

**Diwan Chaman Lall :** May I ask whether this may be considered to be the repressive policy of the Unionist Government since June, 1937 ?

**TOURS ON WHICH MINISTER FOR DEVELOPMENT ADDRESSED  
PUBLIC MEETINGS CRITICISING THE CONGRESS.**

**\*1575. Diwan Chaman Lall :** Will the Honourable Premier be pleased to state the number of tours between April, 1, 1937, and the 15th of December, 1937, during which the Minister for Development addressed public meetings involving criticism of the Congress or the Opposition party in the Assembly and the total amount of travelling allowance drawn by him in connection with such tour ?

**Parliamentary Secretary (Mir Maqbool Mahmood) :** I regret the answer to this question is not yet ready.

**Diwan Chaman Lall :** May I ask the honourable member what difficulty he has in getting the reply ready to this question of which notice was given as long as nearly a month ago ?

**An honourable member :** How does it arise ?

**Mr. Speaker :** I think it does arise from the answer.

**Diwan Chaman Lall :** Is it because the session is coming to an end and the honourable member does not wish to give the information to the public that the reply is not ready ?

**Lala Deshbandhu Gupta :** Is it or is it not a fact that the Honourable Minister for Development has supplied the office with all his bills in connection with these tours ?

**Parliamentary Secretary :** I have already answered the various questions with regard to the travelling allowance of Honourable Minister and I can assure the honourable members opposite that there is no question of the shirking of any issues on that. But I think that the stage is reached when unnecessary recrimination and waste of time on such questions should be discouraged.

**Diwan Chaman Lall :** On a point of order. What right has the honourable member to make a speech of this nature when he is not prepared even to answer the question ?

If he is honest he may answer the question.

**Finance Minister :** " Honest " ?

**Diwan Chaman Lall :** I am challenging the political honesty of every one of you over there.

**Mr. Speaker :** To question the honesty of an honourable member of this House is unparliamentary. Therefore I request the honourable member to withdraw his remark.

**Diwan Chaman Lall :** Mr. Speaker, if it were a question of personal honesty I would never have raised it. But I am well within my right in questioning the political honesty of the honourable member in not answering a question.

**Finance Minister :** What is 'political honesty'?

**Mr. Speaker :** That expression is unparliamentary. Therefore, I request the honourable member once more to withdraw it.

**Diwan Chaman Lall :** I regret very much that I am unable to go against my conscience in this matter. I honestly feel that in not answering this question and giving the reply that the honourable member has given now he has not been politically honest. How can you ask me to tell a lie when I do not believe in that?

**Mr. Speaker :** It is not a question of belief. The honourable member may have any conviction he likes. But his thoughts are free and not his words. So, the question is whether he can say certain things on the floor of this House. Once more I request the honourable member to withdraw the objectionable expression.

**Diwan Chaman Lall :** No, Mr. Speaker, I am not prepared to withdraw that expression.

**Mr. Speaker :** As the honourable member's refusal to withdraw the objectionable expression amounts to grossly disorderly conduct, I request him to leave the chamber for the rest of the day.

**Diwan Chaman Lall :** I am quite willing to do so.

*(Diwan Chaman Lall then left the chamber.)*

**Lala Deshbandhu Gupta :** I want to know, Mr. Speaker, whether in spite of the statement the honourable member has made that the reply to this question is not ready, the statement that he considers it a waste of time to answer such questions, is not inconsistent and whether the proper answer was not that he did not want to answer that question.

**Mr. Speaker :** The honourable member is making a speech.

**Dr. Gopi Chand Bhargava :** May I know which reply of the honourable member is correct, "the reply to the question is not ready" or "it is a waste of time to answer such questions?" The honourable member has made these two statements on the floor of the House.

**Parliamentary Secretary :** With regard to that I would submit that I have got here a chit from the department saying that the answers to questions 1575 and 1602 will follow and they have not reached so far. With regard to the supplementary questions I said it was a waste of time to ask the supplementary questions.

**Dr. Gopi Chand Bhargava :** I want to know which reply of the honourable member is correct?

**Parliamentary Secretary :** Both of them are not irreconcilable. I said the answer was not ready, but the supplementary questions I said, were a waste of time.

**Sardar Ajit Singh :** On behalf of Diwan Chaman Lall I put question No. 1576.

**Mr. Speaker :** Is he authorised by Diwan Chaman Lall to put the question?

**Sardar Ajit Singh :** He belongs to my party.

**Dr. Gopi Chand Bhargava :** Is any written authority necessary ?

**Mr. Speaker :** No. It may be written or oral.

**Pandit Muni Lal Kalia :** I have been authorised by Diwan Chaman Lal to put questions on his behalf.

**Shaikh Faiz Muhammad :** The honourable member has been named and he is not supposed to be taking part in the proceedings of this House.

**Mr. Speaker :** The honourable member, Pandit Muni Lal Kalia, says that he has been authorised to put the questions.

**Minister for Education :** But the question is whether when Diwan Chaman Lal himself could not put the question in view of the fact that you have named him, another member can put questions on his behalf. An agent cannot do what a principal himself cannot do.

**Sardar Sampuran Singh :** When a member behaves in an objectionable way he may be sent away, but he does not cease to be a member of this House for all other practical purposes. He can come tomorrow or he may come after half an hour. (*Honourable members.* "No, no"), and so far as his rights of sending questions and doing anything else as member of the Assembly are concerned, he retains those rights.

**Lala Duni Chand :** I would like to add one word. Diwan Chaman Lal has got the right, under the rules, to put questions, and he does not forfeit that right simply because he is asked to go out of the Chamber. That right is there and he has got every right to authorise another member to put questions on his behalf. That right cannot be taken away.

**Mr. Speaker :** The point raised is whether a member, who has been asked to leave the Chamber for the day, can ask questions, standing in his name, through another member of this House.

**Parliamentary Secretary :** Before you give your ruling, may I suggest one way to get out of this difficulty ? In the foot-note on page 242 of May's Parliamentary Practice, it is clearly indicated as follows :—

"When a member has made use of the opportunity of asking a supplementary question to make offensive insinuations, the Speaker has declined to call upon him to ask the next question upon the paper which stood in his name."

Even if the member were here, you could decline to call upon him to ask the next question, but if he is absent this argument is still stronger. Again, you will find in the foot-note on page 245 of May's Parliamentary Practice that :—

"If a member having placed notices of questions upon the paper ceases to be member of the House, answers to his questions should not be printed."

I submit that in this particular case, so far as the analogy is concerned for today, the honourable member has ceased to be a member of the House for the purpose of taking part in the proceedings of the House.

(*Voices from the Opposition :* Not at all.)

**Lala Deshbandhu Gupta :** The point of order raised by the Honourable Minister for Education was that what a principal cannot do his agent cannot do. It is a request on behalf of Mir Maqbool Mahmood to impose that restriction now on other members also. But as a matter of fact this is not the point at issue at all.

**Lala Bhim Sen Sachar :** Sir, my submission is this. Suppose there is a question which appears on the order paper in the name of a member for the day and that member is not present, then it does not prevent the Honourable Minister in charge of that question from replying to it, if he so likes. Now, after that question has come on the agenda paper, it should be replied. My submission is that when that question can be asked on behalf of a particular member, the mere fact that a certain member has been asked to withdraw from the Chamber does not create any real obstacle in the way of the answer being given. When you are pleased to ask a particular member to withdraw from the Chamber, all that you want to be sure of is that he does not repeat a language similar to that to which objection has been taken, during the rest of the day. So he is given a sort of warning for future. With respect to this question, the question is already there. It does not create, as I have said, any real obstacle in the way of the Minister in charge to give reply to that question. To prevent an answer to that question being given will be to prevent this House from receiving information which can be made available to the House only when the question is put.

**Pandit Muni Lal Kalia :** May I inform the House that the proposition which is placed before the House by the Honourable Minister for Education is misleading and it does not apply in this case.

**Mr. Speaker :** May I invite the attention of honourable members to a rule and a standing order, which regulate the procedure of this House for the time being. Rule 23 runs as follows :—

- “(1) The Speaker shall preserve order and have all powers necessary for the purpose of enforcing his decisions on all points of order.
- (2) He may direct any member whose conduct is, in his opinion, grossly disorderly to withdraw immediately from the Assembly and any member so ordered to withdraw shall do so forthwith and shall absent himself during the remainder of the day's meeting.....”

Standing Order 18 runs as follows :—

- “If on a question being called it is not put either by the member himself or, in his absence, by any other member duly authorized by him or the member in whose name it stands is absent, the Speaker.....”

So, the legal position and status of the gentleman, who has been asked by the Chair to absent himself from the House is that of an absent member, that is to say, he is to be treated only as an absent member.

#### COST OF PROVIDING LOUD SPEAKERS FOR MINISTERS TO ADDRESS PUBLIC MEETINGS.

**\*1576. Diwan Chaman Lal :** Will the Honourable Minister for Development be pleased to state—

- (a) whether it is a fact that on several occasions arrangements have been made for providing loud speakers to Ministers when

[Diwan Chaman Lall.]

addressing public meetings by the Rural Reconstruction Department ; if so, the number of such occasions and the cost of making such arrangements ;

(b) the nature of the addresses delivered by the Ministers ;

(c) the rules and the authorities under which public money was spent for this purpose ?

**The Honourable Chaudhri Sir Chhotu Ram :** (a) First part. Yes.

Second Part. Nine.

Third part. Estimated at Rs. 119.

(b) The addresses were of the usual type which Ministers under a representative form of Government deliver all the world over.

(c) The rules of the Punjab Government relating to contingent expenditure.

**Lala Duni Chand :** Is it true that audiences for Ministers are secured through official agencies, such as police, tahsildars and naib-tahsildars ?

**Minister :** This does not arise out of my answer, but I may tell the honourable member that his information is entirely erroneous.

#### AMIR HYDER KHAN, A REGULATION III PRISONER.

**\*1577. Diwan Chaman Lall :** Will the Honourable Premier be pleased to state—

(a) whether any action has been taken in the matter of the release of Amir Hyder Khan, a Regulation III prisoner ;

(b) the authority who examined his case for release ; and the date when it was last examined ?

**The Honourable Major Sir Sikander Hyat-Khan :** The matter is still under consideration.

#### TOURS OF MINISTERS AND PARLIAMENTARY AND PRIVATE SECRETARIES.

**\*1578. Diwan Chaman Lall :** Will the Honourable Premier be pleased to state—

(a) the number of days on which each Minister has remained on tour since the assumption of his office ;

(b) the number of days on which each parliamentary and parliamentary private secretary has remained on tour since his appointment

(c) the total sum of travelling allowance drawn by each Minister, parliamentary secretary and parliamentary private secretary ;

(d) the reasons in each case for undertaking the tour ?

**The Honourable Major Sir Sikander Hyat-Khan :** A statement giving the required information is laid on the table.

*Statement showing the number of days spent by each Honourable Minister on tour and the amount of travelling allowance drawn; also the number of days spent by certain parliamentary secretaries and parliamentary private secretaries and the amount of travelling allowance drawn by each.*

Designation.	(a).	(c).	(d).
	Days.	Rs. A. P.	
Premier .. .. .	29	1,210 14 0	The journeys were undertaken on public business.
Minister of Revenue ..	57	2,823 1 0	Ditto ditto.
Minister of Development ..	86	5,206 10 0	Ditto ditto.
Minister for Finance ..	36	2,531 13 0	Ditto ditto.
Minister for Public Works ..	36	2,286 13 0	Ditto ditto.
Minister of Education ..	63	3,413 8 0	Ditto ditto.

(b).

Parliamentary secretary to the Honourable Minister of Revenue.	37	826 12 0	The journeys were undertaken on public business.
Parliamentary private secretary to the Honourable Minister of Revenue.	5	170 4 0	Ditto ditto.
Parliamentary secretary to the Honourable Minister of Finance.	1	Has not drawn any travelling allowance so far.	Ditto ditto.
Parliamentary secretary to the Honourable Minister of Education.	10	Ditto.	Ditto ditto.
Parliamentary private secretary to the Honourable Minister of Education.	30	Ditto	Ditto ditto.

#### TRAVELLING ALLOWANCES FOR DEVELOPMENT MINISTER'S TOUR TO KASHMIR.

**\*1579. Diwan Chaman Lall :** Will the Honourable Minister for Development be pleased to state whether he took a trip to Kashmir during the last summer; if so, the object of the trip, the number of days this trip lasted and the amount of travelling allowance drawn by him during this trip?

**The Honourable Chaudhri Sir Chhotu Ram :** Yes. The Standing Committee on Industries, while recommending the holding of an exhibition

[Minister for Development.]

by the Punjab Government, suggested that the model of the Kashmir exhibition should be kept in view. Accordingly it appeared to be desirable to see the exhibition held in Srinagar and at the same time to study the sericulture and woollen industries in which Kashmir had made great progress and which the Punjab Government are attempting to develop in the province. The whole trip (from Simla to Kashmir and back) lasted 22 days and the amount of travelling allowance drawn by me was Rs. 1,162-8-0. The trip also covered visits to Gujranwala, Sialkot, Rawalpindi, Jhelum and Gujrat districts.

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SPEECHES MADE AGAINST THE CONGRESS BY MINISTER FOR  
DEVELOPMENT ON HIS TOURS.

**\*1580. Diwan Chaman Lall :** Will the Honourable Minister for Development be pleased to state—

- (a) whether during every tour he has made since assuming office he has been making speeches or acting otherwise against the Congress ;
- (b) whether he took these tours at his own private expense ?

**The Honourable Chaudhri Sir Chhotu Ram :** (a) It is not possible to recall the details of each and every tour, but it is true that during most of these tours I have been taking the opportunity of explaining to the public the policy of Government and defending it against the attacks and criticisms of political opponents including those who act on behalf and in the name of the Congress.

(b) No.

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RULES GOVERNING THE WORK AND REMUNERATION OF PARLIAMENTARY PRIVATE SECRETARIES.

**\*1581. Diwan Chaman Lall :** Will the Honourable Premier be pleased to state—

- (a) the rules governing the work and remuneration of each parliamentary secretary and parliamentary private secretary ;
- (b) the work actually accomplished by each such secretary since assuming office ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) A reference is invited to the answer given to question No. \*1478. There are no actual rules.

(b) The nature of the duties allotted to these secretaries makes it impossible to give an explicit answer to this question.

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SHAHPUR CANAL.

**\*1582. Diwan Chaman Lall :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the reports on which his replies to my starred question No. 189 put by me in the last session of the Assembly relating to the Shahpur Canal were based ;

- (b) whether it is a fact that thousands of poverty-stricken peasants have from time to time sent representations to the Government for the opening of the said canal ;
- (c) whether it is a fact that a part of the same area is being irrigated by a private canal ;
- (d) whether any more memorials have been received by the Government through me ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) On voluminous Government records.

(b) Representations have been received from time to time from inhabitants of the area concerned.

(c) The area for which the Shahpur Branch was constructed is irrigated partially by several private canals.

(d) It is regretted that the representations alluded by the honourable member cannot be traced but efforts to do so will be made if the honourable member will furnish details.

**HANS RAJ alias WIRELESS, A POLITICAL PRISONER.**

**\*1583. Diwan Chaman Lall :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that Hans Raj, alias Wireless, of Lyallpur is undergoing imprisonment in Hyderabad (Sind) Jail as a political prisoner ; if so, whether he was required by the Punjab or Sind Government to give an undertaking to the effect that he should in future take no part in political activities, and that he would be released after he gave such an undertaking ;
- (b) whether it is a fact that Hans Raj refused to give any such undertaking, but at the same time he believed no longer in violence ;
- (c) the action the Punjab Government proposes to take in the matter in view of the creed of the said Hans Raj as mentioned in (b) above ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) and (b) It is not a fact that Hans Raj, alias Wireless, is undergoing imprisonment in Hyderabad (Sind) as a political prisoner. The Punjab Government did not require him to give any undertaking. As regards the Sind Government, it is not in public interest to give information on a matter which primarily concerns another Government.

(c) Does not arise.

**MUNICIPAL COMMITTEE, PINDIGHEB.**

**\*1584. Diwan Chaman Lall :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that the Municipal Committee, Pindi Gheb, was established more than 60 years ago ;

[Diwan Chaman Lall.]

- (b) whether it is a fact that the system of elections is not in force in this committee ;
- (c) whether it is a fact that in the second week of October, 1937, the citizens of Pindi Gheb observed a complete *hartal* as a protest against the nomination system ;
- (d) whether the Government intends to decide to abolish the system of nomination for this committee ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a), (b) and (d) The honourable member is referred to the answer to question No. \*1451.<sup>1</sup>

(c) Yes.

ARREST OF KALI CHARN AND AMAR CHAND OF CONGRESS COMMITTEE, LUDHIANA.

**\*1585. Diwan Chaman Lall :** Will the Honourable Premier be pleased to state—

- (a) whether Mr. Kalicharn, Secretary, City Congress Committee, Ludhiana, was arrested on 24th October along with Amar Chand in Ludhiana under section 108, Indian Penal Code, for having delivered certain speeches on the 21st August last in the district of Jullundur ;
- (b) If so, the exact nature of their speeches which formed the basis of their arrest ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) No. It may interest the honourable member to know that section 108, Indian Penal Code, merely defines the ' abettor of an offence ' and is not a penal section.

(b) Does not arise.

NOTICE SERVED ON SAYED ATA ULLAH SHAH BUKHARI, AN AHRAR LEADER.

**\*1586. Diwan Chaman Lall :** Will the Honourable Premier be pleased to state—

- (a) whether a notice was served on January 8rd on Sayad Ata Ullah Shah Bukhari, Ahrar leader, not to enter, reside or remain either in Qadian itself or within an area of two miles radius of Qadian town in the Gurdaspur district ; if so, reasons for the same ;
- (b) whether the Government is prepared to lay on the table all the information which forms the basis for the passing of externment order referred to in (a) above ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) Yes, as there was reason to believe that he had acted and was about to act in a manner prejudicial to the public safety and peace.

(b) No.

CUT IN GRANTS-IN-AID TO PRIVATE SCHOOLS.

**\*1587. Diwan Chaman Lall :** Will the Honourable Minister for Education be pleased to state—

- (a) whether his attention has been drawn to a resolution of the Standing Committee of the non-Government Schools Federation, Punjab, expressing its great disappointment at the proposed policy of the Punjab Government to cut down still further the grants-in-aid to the private aided schools ;
- (b) the action the Government proposes to take on this resolution ?

**The Honourable Mian Abdul Haye :** (a) This resolution has not been sent to me officially but I remember to have read it in the papers.

(b) The position in so far as grants-in-aid are concerned is that provision is made annually in the budget for payment of grants to local body and privately managed Anglo-Vernacular secondary schools separately. But if the total recommendations of the Divisional Inspectors and Circle Inspectresses of schools for the award of grants-in-aid exceed the total budget provision for both these kinds of schools a cut is applied in order to remain within the budget allotment.

EXTERMENT ORDER TO S. BHAGAWAN SINGH LONGOWALIA.

**\*1588. Diwan Chaman Lall :** Will the Honourable Premier be pleased to state—

- (a) whether S. Bhagwan Singh Longowalia was sentenced to 9 months' rigorous imprisonment in October, 1937, for disobeying the order to leave the Punjab within 24 hours ;
- (b) under what authority the said order was passed and reasons for passing the same ;
- (c) whether the Government is prepared to lay on the table all the information which formed the basis for the passing of the externment order mentioned in (a) above ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) Sardar Bhagwan Singh Longowalia was sentenced to six months' rigorous imprisonment in October, 1937, but the sentence was reduced on appeal to three months' rigorous imprisonment.

(b) Under section 8 (1) of the Punjab Criminal Law (Amendment) Act, 1935, for having acted in a manner prejudicial to the public safety and peace ;

(c) No.

INSULTING LANGUAGE USED BY CERTAIN MILITARY OFFICERS  
TOWARDS MR. CHAUDHRI AT THE HEAD  
OCTROI AT RAWALPINDI.

**\*1589. Diwan Chaman Lall :** Will the Honourable Premier be pleased to state the names of the military officers who insulted Mr. Chaudhri, officer on special duty, at the Head Octroi Office, in Rawalpindi in September, 1937, and the action taken against them ?

**The Honourable Major Sir Sikander Hyat-Khan :** I regret the reply to this question is not yet ready.

## ANDAMAN PRISONERS.

**\*1590. Diwan Chaman Lall :** Will the Honourable Finance Minister be pleased to state the number and names of the Punjabi prisoners brought back from the Andamans recently, the number and names of those, if any, who still remain confined in the Andamans, and the number of those Punjabi prisoners who have been released and the nature of the action he intends to take regarding the remaining Punjabi prisoners in the Andamans ?

**The Honourable Mr. Manohar Lal :** If the honourable member is referring to the terrorist prisoners repatriated from the Andamans to the Punjab in October last, the answer is that 4 Punjabis were repatriated, of whom only 1—Gurmukh Singh—was convicted by the Punjab authorities, (Dhanwantri, Khushi Ram Mehta and Hazara Singh, who were then repatriated, were convicted by other administrations).

As regards the second and last part of his question, it is assumed that the honourable member is referring to terrorist prisoners. If this is correct, then as far as Punjab Government is aware, there are no Punjabi terrorists convicted by Punjab authorities, who remain in the Andamans. To verify this, however, would require time and labour incommensurate with the results.

As regards the third part of his question it is presumed that the honourable member is referring to the Punjabi prisoner convicted by the Punjab authorities, who was recently repatriated from the Andamans. If so, the answer is that Gurmukh Singh has not been released.

INFLAMMATORY PAMPHLETS LIKE THE 'RANGILA TEHWAR'  
AND 'SHAHADAT.'

**\*1591. Lala Deshbandhu Gupta :** Will the Honourable Premier be pleased to state whether Government is aware that inflammatory pamphlets like the 'Rangila Tehwar', 'Shahadat' and others were published in Panipat before and after the last Phag day ; if so, whether any action has so far been taken or is proposed to be taken against their authors, printers and publishers ?

**The Honourable Major Sir Sikander Hyat-Khan :** Only one pamphlet entitled 'Rangila Tehwar' has come to the notice of Government. It was examined and found to be hardly actionable. The keeper of the Janty Press, Delhi, at which the pamphlet had been printed, was, however, warned by the Chief Commissioner, Delhi, for a technical offence under section 3 of Act XXV of 1867.

LOOTING, ASSAULTING AND RIOTING IN PANIPAT CITY.

**\*1592. Lala Deshbandhu Gupta :** Will the Honourable Premier be pleased to state the total number of cases of looting, assaulting and rioting that were recorded by Panipat City Police during the last Phag disturbances and the number of those among them that (i) have been challoaned, (ii) are still pending and (iii) have been reported as untraceable and the reasons for the cases mentioned in (iii) having remained untraceable ?

**The Honourable Major Sir Sikander Hyat-Khan :** Twenty-two cases of looting, assault and rioting were registered. Out of these—

- (i) five were sent for trial. (In 4 of these convictions have been obtained) ;
- (ii) one case is still pending ;
- (iii) sixteen cases remained untraced as a result of—
  - (a) doubtful reports implicating innocent persons ;
  - (b) delays in making reports ;
  - (c) coloured and exaggerated accounts of incidents; and
  - (d) failure on the part of complainants and witnesses to identify persons named by them.

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CASES OF *benami* TRANSACTIONS DECIDED BY MR. ABDUR RAHMAN, TAHSILDAR.

**\*1593. Lala Deshbandhu Gupta :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that Mr. Abdur Rahman, Tahsildar, set aside many *benami* transactions of land in Panipat tahsil while he was posted there ;
- (b) the number of cases in regard to which appeals or civil suits were filed against his orders and the number of cases in which his orders were reversed on appeal or on filing a civil suit ?

**The Honourable Dr. Sir Sundar Singh Majithia :** I regret the answer to this question is not ready.

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SCALES OF PAY FOR M.A., B.Ts. AND B.A., B.Ts. IN EDUCATION DEPARTMENT.

**\*1594. Lala Deshbandhu Gupta :** Will the Honourable Minister of Education be pleased to state—

- (a) whether it is or it is not a fact that the present grades of pay fixed by the Education Department for M.A., B.Ts. and B.A., B.Ts. to be employed in the department are 80—4—100 and 65—3—80, respectively, and whether or not these grades are adhered to rigidly in making fresh appointments ;
- (b) whether he is aware of the fact that in the appointments made recently by the Government, M.A., B.Ts., have also been placed in the grade of 65—3—80 ; if so, why ?

**The Honourable Mian Abdul Haye :** (a) No.

(b) Yes. M.A., B. Ts. and B.A., B.Ts. are now ordinarily recruited in the Rs. 65—3—80 and 45—2—55 grades, respectively. From 1st April, 1937, these have replaced the old grades of Rs. 80—4—100 and Rs. 55—3—70, respectively.

DACOITY COMMITTED IN MANDHIALI KALAN, DISTRICT GUR-  
DASPUR.

**\*1595. Sardar Indar Singh :** Will the Honourable Premier be pleased to state—

- (a) whether the Government is aware of the fact that on the night between the 8th and 9th December a serious dacoity was committed in the village Mandhiali Kalan, tahsil Shakargarh, district Gurdaspur, in which though the dacoits were armed with dangerous weapons like pistols, the villagers opposed them bravely and in spite of receiving bullet wounds killed one of them on the spot and forced the others to run away ;
- (b) if the answer to part (a) above be in the affirmative, whether the Government has any intention to reward the inhabitants of the above-named village ; and if so, in what manner ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) Yes.

(b) The matter is under consideration.

TAQAVI LOANS ADVANCED IN TAHSIL PIND DADAN KHAN.

**\*1596. Raja Ghazanfar Ali Khan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is intended to grant remissions in revenue to Pind Dadan Khan tahsil and particularly to the Thal Ilqa of the same where owing to paucity of rain last *Kharif* crop has failed and very little *Rabi* has been sown ;
- (b) whether it is a fact that the zamindars of the abovementioned Thal Ilqa are experiencing great hardship owing to lack of fodder ; if so, whether the Government intends to provide some relief ;
- (c) the amount of money advanced recently as *tagavi* loan to this area and whether according to Government estimate the *tagavi* already distributed is enough to meet the needs of the people ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes, the matter is under consideration.

(b) Yes. Loans have been advanced and Government have sanctioned the import of fodder from other areas at concession rates.

(c) A sum of Rs. 6,000 has already been advanced and a proposal for further allotment is under consideration.

CONSTRUCTION OF AN INUNDATION CANAL IN TAHSIL PIND  
DADAN KHAN.

**\*1597. Raja Ghazanfar Ali Khan :** Will the Honourable Minister of Revenue be pleased to state whether recently a scheme has been submitted by the Deputy Commissioner, Jhelum, to the Superintending Engineer, Sargodha, regarding the construction of a small inundation canal in Pind Dadan Khan tahsil ; if so, the action the Government intends to take on the same ?

**The Honourable Dr. Sir Sundar Singh Majithia :** No. The Deputy Commissioner, Jhelum, forwarded an outline of a project, to construct a small inundation canal, to the Commissioner, Rawalpindi. Government is at present examining the proposal with a view to decide on its practicability.

**WATER WORKS SCHEME FOR PIND DADAN KHAN TOWN.**

**\*1598. Raja Ghazanfar Ali Khan :** Will the Honourable Minister of Education be pleased to state when the Government intends to take in hand the scheme for waterworks for Pind Dadan Khan town sanctioned by them in 1937 ?

**The Honourable Mian Abdul Haye :** A grant-in-aid of Rs. 75,000 has recently been allotted for the early commencement of the work.

**COMMUNAL REPRESENTATION AMONG GAZETTED OFFICERS OF IRRIGATION RESEARCH INSTITUTE.**

**\*1599. Khawaja Ghulam Samad :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that at present there is no Muhammadan gazetted officer in the Irrigation Research Institute, Punjab ; if so, whether and when it is intended to make up the deficiency ;
- (b) the educational qualifications of the gazetted officers now working in the said Institute ;
- (c) whether the officers who have been appointed in this department to make a research in lines possess the requisite qualifications and experience to perform their duties ; if not, the reasons therefor ;
- (d) whether it is also a fact that non-Muslims of inferior qualifications have been taken as gazetted officers in the Research Institute and the applications of better qualified Muslims have been rejected by the Director of Research Institute ; if so, the reasons therefor ;
- (e) whether he will please lay on the table of the House the applications of non-Muslim and Muslim candidates for employment in the Research Institute along with a statement of their respective qualifications ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) There is one Muhammadan gazetted officer in the Irrigation Research Institute. The honourable member is also referred to reply to Assembly question No. \*1468<sup>1</sup>.

(b) A list showing the educational qualifications of the gazetted officers now employed in the Institute is placed on the table.

(c) Yes, they possess the requisite qualifications and experience to perform their duties.

(d) No.

(e) Applications were invited for the posts of Physicist, Physical Chemist and Statistical Officer. Lists showing the name and qualifications of the

[Revenue Minister.]

applicants are placed on the table. The applications cannot be placed on the table as they are required for future reference in this Department.

For other gazetted posts, applications were not invited.

*List showing educational qualifications of Gazetted Officers working in the Irrigation Research Institute, Lahore.*

Serial No.	Names of Officers.	Educational qualifications.
1	Dr. E. McKenzie Taylor .. ..	Ph.D., D.Sc., F.I.C.
2	Dr. N. K. Bose .. ..	M.Sc. (Calcutta). Ph.D. (Germany).
3	Lala Mukand Lal Mehta .. ..	L.Ag. of the Agricultural College, Lyallpur and B.Sc. (Agri.), Punjab University.
4	Dr. Rattan Chand Hoon .. ..	B.Sc. (Hons.), M.Sc. from the Punjab University and Ph. D., Punjab University.
5	Dr. Harbans Lal Uppal .. ..	B.Sc. (Hons.). M.Sc. (Punjab). Ph.D. (Punjab).
6	Lala Jai Krishan Malhotra .. ..	M.A. (Punjab).
7	Dr. A. N. Puri .. ..	M.Sc. (Punjab). Ph.D. (London). D.Sc. (London).
8	Dr. V. I. Vaidianathan .. ..	M.A. (Madras). D.Sc. (Madras).
9	Sh. Abdul Ghani Asghar .. ..	M.Sc. (Hons.), Punjab University.

*List showing names and qualifications of applicants for the post of Statistical Officer in the Irrigation Research Institute.*

Serial No.	Name.	Qualifications.
1	S. Audinarayanan, 122, Big Street, Triplicane, Madras.	M.A., II Class Mathematics.
2	Chaudhri Ghulam Haider, Professor, Islamia College, Peshawar.	Mathematics M. A. in III Division of Punjab.
3	Sufi Muhammad Yusuf, Mominpura, Lahore.	B.A., B.T., M.Sc.
4	H. N. Datta .. ..	M.Sc. I Class of Calcutta University in Pure Mathematics.
5	Balbir Bhadur Saksena .. ..	M.A., Mathematics of Allahabad University.
6	Ahmad Din Seagal .. ..	M.A. Mathematics of Muslim University, Aligarh.
7	Sohan Lal .. ..	M.A. Mathematics, Allahabad University.
8	Mr. Saktrianjan Battacharya (Calcutta).	M.Sc. Mathematics.
9	K. Mukerji, Serampore (near Calcutta)	B.Com.
10	V. Rama Swamy, Madras Presidency	B.A. (Hons.)
11	R. Rangachari, Ennur, M. S. M. ..	B.A. (Hons.) with Mathematics as optional subject.

Serial No.	Name.	Qualifications.
12	S. Narayana Iyer, Nagercoil ..	B.A. (Hons.) Mathematics, M.A. in Mathematics.
13	Karam Chand Dhawan ..	M.A. Mathematics.
14	K. U. Pai ..	B.A. (Hons.) Madras, M. A. in Mathematics.
15	Kundan Lal Bhanot, Moghalpura ..	M.A. Mathematics.
16	Kishan Dyal ..	M.A.
17	Lala Raja Ram Sekhri ..	M.A.
18	Radha Kanta Bandyopadhyay ..	M.Sc.
19	D. S. Iyer, Bombay ..	M.A.
20	R. Sundararajan, Madras ..	B.A. (Hons.).
21	Pulin Behari Das ..	M.A.
22	Harivansh Lal Rishi ..	M.A. Mathematics.
23	M. H. Bowju ..	M.A.
24	M. M. Narayana Marar, Bombay ..	B.A. (Hons.).
25	Ramapati Bhattacharyya ..	M.A.
26	S. Seehadri ..	M.A.
27	Mr. Isaac Mathai ..	M.A.
28	Mr. Ram Behari Lal Mathur ..	M.A.
29	B. V. Bhide ..	B.E. (Civil).
30	Mr. Govind Nangesh Lad ..	B.Com. of Bombay University.
31	K. Rangaswami ..	B.A. (Hons.).
32	N. Sankara Aiyar ..	M.A.
33	R. Subramanian, Madras ..	M.A., B.L.
34	S. S. Subramania Aiyar ..	M.A., B.A. (Hons.).
35	Dhirendra Krishna De ..	B.Sc. Hons., M.Sc.
36	Gurn Prasad Mandal ..	M.A.
37	Pramod Kishore Roy ..	M.Sc.
38	Durga Dass Kapila ..	M.A. (Mathematics), B.Sc.
39	H. N. Datta ..	M.Sc.
40	K. Narasimhachari ..	M.A.
41	Bata Krishna Sen ..	M.A.
42	V. S. Ganapathy ..	M.A.
43	K. Abraham George ..	M. A.

[ Revenue Minister, ]

Serial No.	Name.	Qualifications.
44	Prem Kumar Synghal .. ..	M.A.
45	Mr. P. Harihara Sarma .. ..	B.A. (Hons.).
46	N. S. Muthuswamy .. ..	B.A. (Hons.).
47	Budh Ram Aggarwal .. ..	M.A.
48	Daulat Ram Sharma .. ..	M.A.
49	P. K. Raja, Raja Varma .. ..	B.A. (Hons.).
50	Dhirendra Nath Mukerji .. ..	M.A.
51	Jai Krishan Malhotra (Sheikhupura) ..	M.A.
52	Kishan Chand (Jullundur City) ..	M.A.
53	S. Krishnan .. ..	B.A. (Hons.).
54	Dhirendra Kumar Sen .. ..	B.Sc.
55	Bhababi Mohan Chatterji .. ..	M.A.
56	P. S. Saptarshi Aiyar .. ..	B.A. (Hons.).
57	Karam Chand Beri .. ..	M.A.
58	Paul Bayliss .. ..	Nil.
59	N. Parameshwaran Pillai .. ..	M.A.
60	C. T. Raju .. ..	M.A.
61	S. Subramonia Iyer .. ..	M.A.
62	S. R. Kubair .. ..	M.Sc.
63	Devi Din Trivedi .. ..	M.A.
64	D. S. Subramaniam .. ..	B.A. (Hons.).
65	A. V. Hari Hara Aiyar .. ..	M.A.
66	Gobinda Deb Bhattacharya .. ..	M.A.
67	T. S. Seshukutty .. ..	M.A. (Hons.).
68	H. B. Gidwani .. ..	B.Sc.
69	Himangshu Kumar Guha Thakurba ..	M.A.
70	V. N. Pootnapregna .. ..	M.A.
71	Mr. B. B. Ghosh .. ..	B.A., B.E.
72	P. R. Subramanyam .. ..	B.A.
73	R. K. Kumar .. ..	M.A.
74	D. Chandrasekhariah .. ..	M.A.

Serial No.	Name.	Qualifications.
75	T. O. Lakshmi Narasimhan ..	B.A.
76	Asokananda Das ..	M.Sc.
77	B. V. Godgil ..	M.Sc.
78	M. Lakshmanamurty ..	M.A.
79	Ram Kumar Luthera ..	M.A.
80	Mr. Durga Prasad Banerji ..	M.A.
81	N. S. Venkataram ..	M.Sc.
82	A. Sundaresarn ..	M.A.
83	R. Thiruvengkatachari ..	B.A. (Hons.).
84	Sri Ram Tewary ..	M.A.
85	Subodh Chandra ..	M.A.
86	M. Abdul Rehman ..	M.A.
87	Mr. Rendhir Singh Khaira (Panjab) ..	B.Sc.
88	Mr. Barkat Ali Chohan ..	M.A., B.Sc. (Hons.).
89	K. G. Narasimhaiya ..	M.A.
90	S. Krishna Aiyar ..	M.A.
91	B. D. Bhopatkar ..	B.A., B.E.
92	Gour Chandra Mitra ..	M.Sc.
93	Sitangahu Sekhor Das ..	M.A.
94	P. S. Rama Swamy ..	M.A. (Hons.).
95	D. Singh ..	M.A. Punjab, M.B.A. (Harvard).
96	P. N. Chatterji ..	B.Sc.
97	Sitansubhushan Gupta ..	M.Sc.
98	Mr. Sant Ram Rallen ..	B.Com. (Birm.).
99	R. Rangachari, Tada P. O. ..	M.A.
100	Muhammad Mahfuz Khan ..	B.Sc.
101	K. V. Krishna Sastry ..	M.A.
102	A. N. Nagappa ..	M.A.
103	Shiva Shankra ..	M.A.
104	T. Gopala Pillai ..	B.A. (Hons.).
105	Sati Prasad Ganguli ..	M.Sc.
106	Kamini Kumar De ..	M.Sc.

[ Revenue Minister. ]

*List showing the names and qualifications of applicants for the post of Physical Chemist (Gazetted appointment).*

Serial No.	Name.	Qualifications.
1	Dr. Amar Nath Puri ..	B.Sc. in Chemistry and Physics with Honours in Chemistry, 1918. (2) M.Sc. in Chemistry, First Class 1920. (3) Ph.D. (London), 1924. (4) D.Sc. (London) 1931.
2	Bhupendra Nath Mitra ..	B.Sc. with First Class Honours in Chemistry in 1926 from Dacca University. (2) M.Sc. First Class in Physical Chemistry in 1927.
3	Kashmiri Lal Budhiraja ..	B.Sc. (Hons.) in Chemistry with Physics and English as subsidiary subjects in 1928. (2) M.Sc. in First Class.
4	B. D. Kausa ..	B.Sc. in Chemical Engineering and M.Sc. in Chemistry from the University of Utah (U. S. A.).
5	Ram Narain Kapur ..	B.Sc. (Hons.) in Chemistry in 1927. (2) M.Sc. in Chemistry in the First Division, Punjab University, in 1928.
6	B. N. Ghosh ..	B.Sc. First Class in Chemistry in 1922 from Calcutta University. (2) M.Sc. First Class first in Chemistry in 1924. (3) D.Sc. of the University of London in 1929.
7	Hirendra Kumar Sen ..	B.Sc. (Hons.) in Chemistry in 1928. (2) M.Sc. from the University College of Science, first in the First Class in Physical Chemistry in 1930.
8	Daulat Ram Dev ..	'Diploma Engineer' Graduate in Technical Chemistry from the Technical University Brisan (Germany) in 1928. (2) D.Sc. in Electro Chemistry in 1930.
9	S. D. Satwalekar ..	Ph.D. in Chemistry from Iowa State College (U. S. A.) in 1928.
10	R. D. Rege ..	B.A., B.Sc. and M.Sc. in Biochemistry (Bombay University) in 1925.
11	S. L. Bhatia ..	M.Sc. Second Class in 1924. (2) D.Sc. in 1929.
12	S. Kishnamurti ..	M.Sc. of the University of London.
13	Mulkh Raj Nayar ..	Honours in Chemistry from the Punjab University in 1922. (2) Double M.A. of Chemistry of U. S. A.
14	Nazir Ahmad ..	M.Sc. in Chemistry in 1930 of Punjab University.
15	Jyoti Kanta Basu ..	M.Sc. of Calcutta University in Physical Chemistry. (2) Ph.D. of London University in Agricultural Chemistry.
16	Prem Nath Nayar ..	Graduate in the Science of Agriculture of the University of Edinburgh.
17	T. J. Mirchandani ..	M.Sc. (Chemistry) of Bombay University in 1925. (2) Ph. D. London, 1931.
18	H. R. Diwan ..	B.Sc. in Chemistry of Punjab University. (2) First Grade Diploma of the Indian School of Mines, Dhanbad.
19	Pyara Lal Kapur ..	M.Sc. (Chemistry) in the First Division standing first in 1928.
20	Narain Singh Basarke ..	B.Sc. with Honours in 1925 of Punjab University. (2) Graduate of Edinburgh University in Engineering in 1928.
21	Labhshanker A. Bhatt ..	M.Sc. of Bombay University. (2) Ph.D. of London University.
22	Gokal Chand Bhambi ..	B.Sc. in Civil Engineering Edinburgh University. (2) Upper Subordinate Examination of Punjab University.

*List showing the names and qualifications of applicants for the post of  
Physicist (Gazetted appointment).*

Serial No.	Name.	Qualifications.
1	Dr. Muhammad Abdul Haque.	1. Doctor of Science (Paris). 2. Chartered Physicist. 3. Honours Diploma in Electric Engineering. 4. Graduate of the Institution of Electrical Engineers.
2	M. C. Bathija ..	1. B. A. Honours Degree of Bombay University with II Class in Physics and Chemistry in 1918. 2. B.A. Honours Degree of Cambridge University with II Class in Physics, Chemistry and Botany in 1922. 3. Natural Sciences, Tripos, Part II in Physics, 1923. 4. M.A. Degree of Cambridge University.
3	Kasimbhai Ghausibhai Shaikh.	1. B.E. Exam. in Civil Engineering of the Bombay University in 1926. 2. M.Sc. Exam. in Engineering of the London University from the City and Guilds College in 1930. 3. B.Sc. Exam. in Civil and Municipal Engineering of London University, 1929.
4	Amrita Mohan Roy ..	B.A. of Punjab University.
5	Nalini Kumar Datta ..	M.Sc. Exam. in the First Class in Physics with Quantum theory and heat from Calcutta University in 1929.
6	Mohinimohan Ghosh ..	M.Sc. in Physics in 1929 from University College of Science, Calcutta, and was placed first in Second Class.
7	Nikunja Bihri Karam Kar ..	M.Sc. in Physics from Calcutta University in 1929.
8	V. I. Vaidhianathan ..	M.A., D.Sc. of the Madras University.
9	Purushotham V. Korke ..	B.Sc. Third Division from Morris College, Nagpur, in 1925. 2. M.A. (Ordinary) of University of Edinburgh in 1930.
10	Nipendra Narayan Pal ..	M.Sc. in Physics standing first in the First Class from Dacca University in 1926.
11	H. S. Jagtiani ..	B.Sc. and B.E. (Civil) of the Bombay University in 1930.
12	H. R. Sarna ..	M.Sc. first and First Class (Physics) in 1926.
13	P. K. Pillai ..	M.A. in Physics of Madras University. A.R.C.S. and D.I.C. of Imperial College of Science, London.
14	Ramadas Chatterjee ..	M.Sc. First Class in Physics from the University College, Calcutta, in 1923.
15	Amar Nath Puri ..	M.Sc. (Physics) First Class, Stood First in the Punjab University, from the Government College, Lahore, in 1927.
16	L. D. Mahajan ..	M.Sc. (Physics) Second Division from the Punjab University in 1928.
17	M. D. R. M. Sadarangani..	B.A. of Civil Engineering of the Bombay University. B.Sc. (Physics).
18	Jai Kishan ..	M.Sc. (Physics) in 1924 from the Punjab University. 2. Elementary Examination in German in First Class of the Punjab University.
19	S. P. Sircar ..	M. Sc. in Applied Physics standing first from the Calcutta University in 1929.
20	D. B. Ray, Chandhri ..	M.Sc. (Physics) standing second in order of merit, placed First in Class II of the Calcutta University in 1926.
21	Naujevedayya ..	M.Sc. (Physics), II Class of Calcutta University.
22	Jagat Ram ..	Diploma in Mech. Engg., Baroda Tech. Institute. 2. Diploma in Electrical Engineering. 3. Second Grade Certificate in Electrical Engineering. 4. 1st Class Mechanical Engineers Certificate from the Punjab Government.
23	R. N. Ghosh ..	M.Sc. (Physics), D. Sc. in 1927.
24	Suresh Chandra Deb ..	M.Sc. (Physics) in 1928.
25	K. V. Desai ..	M.Sc. with Distinction in Physics from the Bombay University in 1930.

ANNUAL INSPECTION OF SHAHJAHANPUR AND CHANDPUR ON  
JUMAT-UL-WIDA DAY.

**\*1600. Chaudhri Muhammad Yasin Khan :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that *Jumat-ul-Wida* is observed as a gazetted holiday in schools as laid down in the Punjab Education Code ;
- (b) whether it is a fact that the Inspecting Officer of Ballabgarh sub-division held annual inspections of two schools at Shahjahanpur and Chandpur on the last *Jumat-ul-Wida* day ;
- (c) whether it is a fact that the tour programme of Assistant District Inspector of Schools, Ballabgarh sub-division, was approved by District Inspector of Schools, Gurgaon ;
- (d) what action does the Government propose to take against the District Inspector of Schools concerned ?

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

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STEEL GATES FOR HAVELI PROJECT.

**\*1601. Rai Bahadur Binda Saran :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that contract for the manufacture of the steel gates for the Trimmu Headworks of the Haveli Project has been given to the Public Works Department Central Workshops at Amritsar, in preference to the firm of Messrs. Herman and Mohatta, Ltd., which offered, if necessary, to execute the work to the design of the Government and under the supervision and guidance of the Engineers incharge of the Haveli Project and the Indian Stores Department and at much cheaper rates ;
- (b) whether it is a fact that the Public Works Department Central Workshops mentioned above has not executed work of this magnitude before and that it will be necessary to spend a considerable sum of money to enable the Workshop to cope with the work and also that it was established to undertake works of immediate repairs and for experimental purposes, only ;
- (c) whether it is also a fact that the firm of Messrs. Herman and Mohatta, Ltd., has since the date of its establishment, successively executed many important and very large constructional engineering works as certified by the Indian Stores Department through which the tenders of the steel gates were called for ;

(d) whether it is a fact that the firm of Messrs. Herman and Mohatta, Ltd., undertook, in the event of the manufacture of the said steel gates being entrusted to them, pay a penalty on failing to keep to the schedule of the deliveries or in case their workmanship being below standard; if so, whether the Central Workshop has likewise been bound to pay such a penalty in case it lets down the Government;

(e) if the answers to (a), (b), (c) and (d) above be in the affirmative, the reasons for which preference has been given to the Public Works Department Central Workshops?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) The contract for the manufacture of the steel gates for the Trimmu Headworks has been given to the Public Works Department Central Workshops, at Amritsar in preference to the firm of Messrs. Herman and Mohatta, Limited. The tender of the Workshops was about Rs. 17½ lakhs including Rs. 3½ lakhs for overhead charges, the greater portion of which would have to be incurred to keep the shops going even if the gates were fabricated elsewhere; hence the net new expenditure on these gates will be about Rs. 14 to 15 lakhs and so Government will spend less on these gates by having them fabricated in the Central Workshops in preference to Herman and Mohatta.

(b) No. The Central Workshops have executed works of similar magnitude before. The Central Workshops were established to do all Irrigation Branch works as far as possible. Some of the machinery of the Central Workshops is old and obsolete and was due to be replaced whether the Haveli work was done by them or not.

(c) Does not arise.

(d) No amount of penalty could make up for the delay in supply of the gates. The Central Workshops is under the control of the Irrigation Branch and its capacity for turning out the work in time was fully considered beforehand.

(e) The reasons for giving the work to the Central Workshops, Amritsar, have already been given in parts (a), (b), (c) and (d) of the question.

#### PREMIER'S SPEECH AT JALALPUR KIKAN.

**\*1602. Sardar Partab Singh :** Will the Honourable Premier be pleased to lay on the table of this House a copy of his public speech delivered at Jalalpur Kikan in August 1937?

**The Honourable Major Sir Sikander Hyat-Khan :** An extempore speech was delivered and no record of the speech is available beyond what appeared in the press.

#### WATER LEVEL IN WELLS IN JULLUNDUR AND HOSHIARPUR DISTRICTS.

**\*1603. Sardar Partab Singh :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that the water level in the wells in the Jullundur and Hoshiarpur districts has gone down; if so, its extent

[ S. Partab Singh. ]

during the last two decades ; and whether the Government has received any applications to that effect ;

(b) the action the Government intends to take or has already taken in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes. Average fall of water level in years 1908—1923 was 5·44' and in years 1926—1934 was 0·8' in some areas and some rise in other areas. Government has received applications.

(b) An Officer on Special Duty has prepared a note on the whole problem which will now be examined by a Committee to arrive at the future line of action.

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FAILURE OF MAIZE, SUGARCANE AND COTTON CROPS IN JULLUNDUR DISTRICT.

**\*1604. Sardar Partab Singh :** Will the Honourable Minister for Revenue be pleased to state whether the Government has received any application from the zamindars of Jullundur district regarding the failure of maize, sugarcane and cotton crops on account of scarcity of rain this year ; if so, whether the Government has given any remission to the zamindars of these districts ; if not, why not ?

**The Honourable Dr. Sir Sundar Singh Majithia :** Yes, only one or two applications were received but on investigation the damage was found to be too small to justify remission.

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KISAN ORGANISATIONS.

**\*1605. Sardar Partab Singh :** Will the Honourable Premier be pleased to state whether the Government intends to remove the ban against those Kisan organisations of the province that have been declared illegal ?

**The Honourable Major Sir Sikander Hyat-Khan :** No.

**\*1606. Cancelled.**

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ESTABLISHMENT OF OFFICES UNDER DIRECTOR OF PUBLIC INSTRUCTION, PUNJAB.

**\*1607. Sardar Partab Singh :** Will the Honourable Minister of Education be pleased to state—

(a) community-wise figures of establishments of offices under the Director of Public Instruction, Punjab ;

(b) community-wise number of clerks of offices under the Director of Public Instruction, Punjab, in the Lahore Division ?

**The Honourable Mian Abdul Haye :**

	Hindus.	Muslims.	Sikhs.	Indian Chris- tians.	Europeans and Anglo- Indians.
(a) Office of Director of Public In- struction, Punjab.	26	36	10	1	5
Subordinate offices including those in the Lahore division.	95	118	21	..	..
(b) Offices in the Lahore division..	38	29	5	..	..

**PANJOTRA.**

**\*1608. Sardar Partab Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the total amount that the zaildars of the Punjab Province take in the form of *Panjotra* ;
- (b) whether it is a fact that the zamindars of the Punjab have from time to time protested by passing resolutions and sending memorials to the Government to the effect that they should not be made to bear the burden of *Panjotra* ; if so, whether the Government intends to relieve the zamindars of the payment of *Panjotra* ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Zaildars are not paid any *panjotra*.

- (b) No. The question of relief does not arise.

**ABOLITION OF MALBA IN THE NEW SETTLEMENT OF AMRITSAR  
DISTRICT.**

**\*1609. Sardar Partab Singh :** Will the Honourable Minister for Revenue be pleased to state whether his office, the Financial Commissioner and the Settlement Officer of the Amritsar district have received applications from the zamindars of the said district to the effect that *malba* may be abolished in the new settlement of the district ; if so, the action the Government intends to take regarding these applications ?

**The Honourable Dr. Sir Sundar Singh Majithia :** Yes. The matter is under the consideration of Government.

**COMPENSATION TO ZAMINDARS FOR THE EARTH DUG OUT FROM  
THEIR FIELDS FOR REPAIRING CANAL BANKS.**

**\*1610. Sardar Partab Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether the Government is aware of the fact that the men employed by the Canal Department for the repair of the canal banks, rajbahs and minors dig out earth from the fields of the zamindars for repairing the above works ;

[ S. Partab Singh. ]

- (b) whether the Government is aware of the fact that the Canal Department does not pay any compensation to the zamindars for digging out earth from their fields ;
- (c) whether there is any rule or regulation under which the employees of the Canal Department are authorised to dig out earth for the repair of the canals, rajbahs and minors from the fields without the permission of their owners ;
- (d) whether the owners of such fields are entitled to any compensation ; if so, what ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b), (c) and (d) The Canal Department's action is governed by orders in Irrigation Branch circular letter No. 172-I., dated the 21st January 1904 (copy attached for reference) and compensation is payable in accordance with such rules.

*Copy of Punjab Irrigation Branch Circular No. 172-I., dated 21st January 1904.*

Land required to furnish spoil for repair of banks—

1. The banks of Major and Minor Distributary Channels usually do not require much earth for repairs ; however, small quantities of earth are necessary for petty repairs every year or second year and at much longer intervals of 5, 10 or 15 years the banks and slopes may in parts get washed down by rainfall and may require raising by from half a foot to one foot. As a fairly general rule no spare land to furnish space for borrow pits has been acquired along Major and Minor Distributaries on the Punjab Canals. The practice has been and still is to procure spoil from borrow pits dug in the privately owned lands along the channels. When standing crops, ploughed fields, sown crops and ploughing operations have not been interfered with, the owners or cultivators of the adjacent lands have usually raised no objection provided the ground was left in a fit state for being readily culturable ; however, when these conditions have not been fulfilled, discontent, opposition to procuring earth and claims for compensation have occasionally been the result, although this very seldom happens. It is desirable that the past procedure should continue, but to admit of this, it is essential that Canal Officers should carefully avoid entering on privately owned lands, at times when any loss will result to the interests of cultivators.

It may be remarked that the acquisition of a sufficient width of land everywhere to ever obviate the need of procuring spoil from the private lands would necessitate the acquisition of enormous areas in this province, which would very seldom be used for borrow pits, while the owners and cultivators would permanently lose possession of land which they can ill-afford to part with. It is desirable to regulate the present procedure so as to obviate the objections to it. It is, therefore, directed that the following rules be observed with regard to digging borrow pits in privately owned land for the supply of spoil for the maintenance of Canal channels and to the award of compensation for damage done to such land :—

- (i) Spoil is in no case to be obtained from privately owned land on which crops exist, or which has been ploughed for cropping, excepting in the case of breaches or prevention of accidents, when the procedure laid down in Section 15 of the Canal Act should be followed.
- (ii) Where high banks exist likely to often require spoil for repairs the acquisition of land for the supply of spoil should be arranged for, if the extent of Government land is insufficient for borrow pits.
- (iii) Where the quantity of spoil likely to be required is small, repairs, except in the cases mentioned in rule (i) above, should only be executed when there are no crops on the ground and when spoil can be obtained and the bottom of the borrow pit left in a clear level condition fit for ploughing by the time the ground has to be prepared for the next crop. In no such case are the pits to exceed one foot in depth, measured from the original natural surface level. Borrow pits for the supply of spoil are in no case to be dug on the sites of pits dug on previous occasions, as this would result in lowering the surface to an extent liable to collect water and to render the ground less suitable for cultivation.

- (iv) No borrow pits are to be dug within 10 feet of the boundary of canal land. (In explanation of this limit it may be stated that the term thus left answers the double purpose of inducing cultivators to plough up to the boundary, while it furnishes some spoil which can be ploughed into the borrow pits so as to form a gentle slope readily culturable).
- (v) Local Officers must be warned to guard carefully against doing avoidable damage by carrying out operations of this kind at times when agricultural interests will be interfered with. It can be definitely arranged in advance what is required so that digging of pits can be put in hand promptly on removal of the preceding crop. The procedure in these cases must not be left to irresponsible subordinates. The Executive Engineer will be held responsible for proper and timely arrangements being made which will ensure compliance with these rules and obviate loss to the cultivators.

2. Compensation for damage done to land should usually only be necessary in the following cases:—

- (a) Destruction of standing crops.
- (b) Prevention of cultivation for a certain time.
- (c) Removal of earth from ploughed or sown land.
- (d) Removal of earth to a greater depth than one foot.
- (e) Removal of earth a second time from the same area when the aggregate effect is to lower the original surface of the ground by more than one foot.

3. Except in the case (i) *supra*, it is possible under careful management to execute work at such times and in such a manner as will obviate demands for compensation being made in any of the cases (b) to (e) both inclusive.

4. When earth has been removed from private land, the sides of the borrow pits should be ploughed down and the bottom ploughed over so as to make cultivation easy for the owners; at the time of entry on the land the owners and cultivators should be informed that this will be carried out, and strict compliance should be observed. If compensation is claimed the following general principles should be followed.

Compensation is chargeable to I. B.—Maintenance and Repairs—L—Earthwork, and should be provided for in a separate estimate so as to maintain an easily accessible record of compensation paid. The ordinary repairs estimate should contain a note to the effect that a certain amount will probably be required for compensation. Compensation in each of the five cases mentioned in paragraph 2 above should be assessed as follows:—

(a) *Destruction of standing crops.*—The average outturn as recorded at last settlement, in the Assessment Reports multiplied by the probable market price of the next harvest less any fluctuating rates such as Occupiers' Rates will be the amount fairly payable in ordinary occasions. In the case of minor crops, the value of which is not worked out, in the Assessment Reports, the rates given in Statistical Statement III-E should be used. Average crops should generally be treated as 16 anna crops, but for very poor crops the compensation should be reduced proportionately, otherwise the procedure would probably lead to discount. Provided a crop is in good condition its value as a matured crop should be paid irrespective of the stage of its growth.

(b) *Compensation for prevention of cultivation for a certain time.*—On single cropped land cultivated by the owner the compensation should take the form of one year's rent counting from the ordinary date of preparing the land for the crop not sown, plus 15 per cent. on account of disturbance.

On double cropped land, if neither crop could be grown compensation should be paid as in the case of single cropped land at the loss of rent for the two crops plus 15 per cent. If only one crop is prevented the compensation paid should bear the same proportion to the total rent that the value of the crop not grown bears to the total value of the two crops. The amount of net profits is not always easy to find out, and the land revenue assessment though based theoretically on the rent is but a poor guide to a Canal Officer in assessing the rent. In the case of land cultivated by the tenants having a right of occupancy the compensation should comprise a fair allowance for the rent they pay the owner, together with an additional allowance for loss of profits from cultivation. Each Executive Engineer should frame once for all for a period of five years an estimate of the rentals to be assumed for the purposes of these rules for single and double cropped land (1) irrigated by canal (2) irrigated by wells, and (3) unirrigated. Such estimate should be prepared with the help and advice of the Collector and should be submitted to the Superintending Engineer for approval.

(c) *Compensation for the removal of earth from ploughed or sown land.*—Cost of ploughing plus rent for half or whole year, as the case may be, according to whether the land is single or double cropped plus 15 per cent. of the latter on account of loss of profits for ploughed land occupied for borrow pits. If sown an average or good crop rate should be paid according to the quality of the land as described under (a) above.

[Revenue Minister.]

(d) and (e) *Compensation for pits over 1 foot deep.*—These cases should generally be prohibited, but when unavoidable they must be dealt with as special cases on their merits and very liberal compensation should be given.

5. *General remarks.*—The above instruction regarding the award of compensation will serve to make it very clear that the best course, except in emergent cases of breaches, is to execute repairs with spoil got from borrow pits at times when no damage will be done to crops—no interruption caused to cultivation—and no loss caused to the cultivators; for this procedure exercise of foresight is required coupled with careful consideration for the cultivators. It will be seen that it is both injurious to the cultivators and wasteful of public money to neglect to procure the needed spoil for repairs from privately owned lands when this can be done without any injury to the interests of the cultivators.

When spoil is got from privately owned lands the work should be executed expeditiously, the pits and sides of the same ploughed over quickly so that the land may be occupied for the shortest period possible. Careful attention to each case by the Executive Engineer and Sub-Divisional Officer will suffice to attain this end.

#### CANAL ROAD OF RAJBAH TARN TARAN.

**\*1611. Sardar Partab Singh :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that the residents of villages Ala Din Pur, Chotala Reore Asal and Sakhira in tahsil Tarn Taran, district Amritsar, have applied to the Canal authorities to allow them the use of the canal road of Rajbah Tarn Taran of Jandiala Branch as there is no other public road or passage connecting the said villages with the fields situated on either side of Rajbah Tarn Taran; if so, the action taken on the same?

**The Honourable Dr. Sir Sundar Singh Majithia :** No. Only one zamindar has applied for the use of a certain reach of the Canal patrol road and permission has been granted to him as a special case.

#### ABSCONDERS SHOT DEAD BY THE POLICE IN AMRITSAR DISTRICT.

**\*1612. Sardar Partab Singh :** Will the Honourable Premier be pleased to state—

(a) the number of absconders fired upon and shot dead by the police in the Amritsar district during November and December, 1937;

(b) the circumstances leading to shooting them to death;

(c) the contents of applications; if any, received from their relatives.

**The Honourable Major Sir Sikander Hyat-Khan :** (a) Three, of whom two were killed.

(b) In all three cases the proclaimed offenders concerned were armed with deadly weapons and attacked the police who had gone to arrest them.

(c) Government have received one unsigned petition.

#### CEREBRAL MENINGITIS IN SIALKOT JAIL.

**\*1613. Mr. C. Rai :** Will the Honourable Minister for Finance be pleased to state—

(a) whether he is aware of the fact that one Gurbakhsh Singh of Ugoke, an under-trial prisoner, who was some time ago committed to the court of sessions by Pir Mubarik Ali Shah on a

charge of murder, contracted Cerebral Meningitis in Sialkot Jail and died in October last a few days before the sessions trial; if so, whether any inquiry has since been instituted to find out the cause or causes of the appearance of this disease in the jail; and if no inquiry has so far been instituted, whether he intends to do so now;

- (b) whether it is also a fact that another under-trial prisoner named Beant Singh contracted this disease while in the jail and on being released on bail died of the same disease soon after sometime in November last; if so, the steps the jail authorities took to prevent reappearance of the disease in the jail?

**The Honourable Mr. Manohar Lal:** (a) An under-trial prisoner, Gurbakhsh Singh of Ugoke, contracted Cerebro Spinal Meningitis while confined in the Sialkot District Jail and died on the 11th October, 1937. The diagnosis was confirmed by bacteriological examination done in Lahore. All precautions to prevent the spread of the disease according to instructions received were adopted. The Medical Officer Jail was unable to find out the cause of the re-appearance of this disease in the jail. Sporadic cases have occurred in this jail off and on since 1933.

(b) Under-trial prisoner Beant Singh returned from court on the 12th November 1937 suffering from fever and vomiting. He had not reported sick before going to court. While at the main gate his bail warrant was received and he was released. As the case was suspicious it was reported to the District Medical Officer of Health and traced eventually to the Civil Hospital, Narowal. Clinically this case was one of Cerebro Spinal Meningitis but the meningococcus was not found in the Cerebro Spinal fluid. The same precautions to prevent the spread of the disease were taken in this case as in the case of Gurbakhsh Singh.

#### CHILD LABOUR IN WORKSHOPS.

**\*1614. Diwan Chaman Lall:** Will the Honourable Minister of Development be pleased to state—

- (a) whether his attention has been drawn to a letter by Mr. A. C. Clow, Secretary to the Government of India, to all provincial Governments on the subject of Regulations of workshops specially those concerning child labour;
- (b) whether the Punjab Government has sent its views on the said letter to the Central Government; if so, will the Government lay on the table the text of the same;
- (c) whether the Government has taken any steps in connection with child labour in workshops under their control; if so, what?

**The Honourable Chaudhri Sir Chhotu Ram:** (a) Yes.

(b) The Punjab Government has not yet sent its views on the said letter to the Central Government.

(c) Government has complied with, and always will comply with, the provisions of the Factories Act and rules in relation to all classes of people who may offer themselves and be employed in factories under their control. No other step is considered necessary.

**MUNICIPAL COMMITTEE, SIMLA AND TARA DEVI BARRIER.**

**\*1615. Diwan Chaman Lall :** Will the Honourable Minister of Education be pleased to state—

- (a) whether the practice of taking down the names, addresses and other particulars of visitors to Simla at the Tara Devi Barrier is being done by the Simla Municipality on behalf of the Public Health Department, Punjab Government ;
- (b) whether any objection has been taken by non-official members of the Punjab Assembly and the Indian Legislative Assembly ; if so, the action taken on them ;
- (c) whether Government is aware that Mr. P. D. Sharma moved a resolution in September last in a meeting of the Simla Municipal Committee to the effect that the Punjab Government may be informed that Simla Municipality will no longer wish to act as the agent of the Punjab Government in this practice ;
- (d) if the answer to above be in the affirmative, what steps do the Government propose to take in this direction ?

**The Honourable Mian Abdul Haye :** (a) Yes.

(b) From the question asked in this house in July last it appears that some members objected to the practice owing to a misunderstanding of its objects.

(c) Yes. Mr. P. D. Sharma gave a notice for the motion, but the Municipal Committee, Simla, by their resolution No. XII, dated the 15th September, 1937 decided to continue the administration of the Barriers provided they serve as medical posts for preventing the spread of infectious diseases.

(d) Does not arise.

**AGRICULTURAL MARKETING BILL.**

**\*1616. Diwan Chaman Lall :** Will the Honourable Minister of Development be pleased to state—

- (a) whether the Government has decided to introduce in the Assembly an Agricultural Marketing Bill ; if so, reasons why conflicting statements have been issued to the press in this behalf ;
- (b) the basis on which the Government is going to proceed in this connexion ;
- (c) whether the Government is aware of strong opposition to the proposed Bill among some sections in the Province ?

**The Honourable Chaudhri Sir Chhotu Ram :** (a) No. No conflicting statements have been issued to press.

(b) and (c) Do not arise.

**CALLING OF AZAN BY MUSALMANS OF RAJA JANG.**

**\*1617. Malik Barkat Ali :** Will the Honourable Premier be pleased to state if his attention has been drawn to the statement published in a local daily in its issue, dated 26th November, 1937, to the effect that the *Muslims* of Raja Jang, thana Lulliani, tahsil Kasur, district Lahore, who

number nearly 8,500, are not allowed to call *azan* by the Sikh proprietors of that place who number about one thousand, and that this state of affairs has gone on for the last several years ; if so, whether the Government has made an inquiry to find out whether this statement has its basis in the truth or not and whether it has taken or intends to take any action on this complaint of the *Muslimans* of Raja Jang ?

**The Honourable Major Sir Sikander Hyat-Khan :** A report of this affair, published in the "*Inqilab*", Lahore, of the 26th November, 1937, was brought to the notice of Government. Enquiries were made and these indicated that in consequence of communal disorder in the village about 15 years ago, the Sikhs and Muslims entered into an agreement according to which the latter undertook not to call the *azan* publicly in the village. The *azan* has, however, been called in a low voice in 8 of the 9 mosques in the village and, as a result of the influence of a Sikh proprietor of the village, the Sikhs residing in the neighbourhood of the ninth mosque have raised no objection to the *azan* being called properly. In the circumstances, no action has been taken or is contemplated by Government.

#### ELECTION OF PRESIDENT OF MUNICIPAL COMMITTEE, PANIPAT.

**\*1618. Malik Barkat Ali :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is correct that the Municipal Committee, Panipat, has been electing in previous years the tahsildar, Panipat, an *ex-officio* member of the committee, as its president as a matter of mere formality and in accordance with the then policy of the Government ;
- (b) whether it is a fact that the newly elected committee elected in May last one of its elected members (Haji Muhammad Abdul Qaiyum) as its president instead of the tahsildar by a large majority of 8 against 3 votes ;
- (c) whether it is a fact that the Commissioner, Ambala division, in disapproving of the committee's choice appointed the same tahsildar as president whom the committee had refused to elect as such and gave no option to the committee to elect any other non-official member as its president ; if so, the reasons therefor ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** The attention of the honourable member is drawn to the reply given to parts (a) to (c) of question No. \*1860<sup>1</sup>.

#### PUNJAB CIVIL MEDICAL SERVICE OFFICERS.

**\*1619. Malik Barkat Ali :** Will the Honourable Minister for Education be pleased to state the number of Punjab Civil Medical Service officers who are working as civil surgeons in the province and also the number of those among them who are Muslims ?

**The Honourable Mian Abdul Haye :** At present there are 11 officers of the Punjab Civil Medical Service who are working as Civil Surgeons in the province (9 permanent and 2 officiating) and one of them is a Muslim. The Muslim officer who would otherwise be holding a Civil Surgency is employed as Assistant Inspector-General of Civil Hospitals, Punjab.

#### DISTRICT AND SESSIONS JUDGES POSTED TO SARGODHA.

**\*1620. Sayad Mubarik Ali Shah :** Will the Honourable Premier be pleased to state the number and the names of the District and Sessions Judges posted to the sessions division of Sargodha within the last 15 years with the percentage of the Muslims and non-Muslims among them ?

**The Honourable Major Sir Sikander Hyat-Khan :**

Hindus ..	--	--	..	28·6%
Muslims ..	--	--	--	28·6 %
Sikhs ..	--	--	..	28·6%
Europeans..	..	--	..	14·3%

It is not the practice to give names.

#### APPOINTMENT OF CLERKS FOR CIVIL COURTS AT SARGODHA AND JHANG.

**\*1621. Sayad Mubarik Ali Shah :** Will the Honourable Finance Minister be pleased to state the total number of appointments made in the clerical staff in the district civil courts at Sargodha and Jhang within the last 15 years with the percentage of Muslims and non-Muslims among persons so appointed ?

**The Honourable Mr. Manohar Lal :** A statement is laid on the table :—

*Statement.*

District.	Total number of appointments made in the clerical staff within the last 15 years.	Percentage of Muslims among persons appointed to these posts.	Percentage of non-Muslims among persons appointed to these posts.
Shahpur .. ..	21	28·6	71·4
Jhang .. ..	19	15·8	84·2

#### MEETINGS OF THE SELECTION BOARD, WESTERN RANGE.

**\*1622. Sayad Mubarik Ali Shah :** Will the Honourable Premier be pleased to state—

- (a) since how many years the practice of calling a meeting of the Selection Board of the Western Range, for the selection of candidates for the posts of sub-inspectors and assistant sub-inspectors of police, is prevalent ;

- (b) for how many times the Superintendent of Police, Jhang, was called to attend the meetings of the said Board as one of the members ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) *Sub-Inspectors.* Since 1916 (so far as available records show).

*Assistant Sub-Inspectors.* Since 1929, when the rank was created.

- (b) He attended in 1916 and 1927. The records are incomplete, and it is not known in how many other years he was invited, if any.

#### BOMB IN A FIELD AT BARAPIND, DISTRICT JULLUNDUR.

**\*1622-A. Master Kabul Singh :** Will the Honourable Premier be pleased to state—

- (a) whether the Government are aware of the find of a bomb in a field at Barapind, district Jullundur, on the 15th October last ;  
 (b) whether any arrests were made in that connexion on that day in Barapind ;  
 (c) whether the investigation of the case has been completed by the police ;  
 (d) whether there is any intention to start the case ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) Yes.

(b) No.

(c) Yes.

(d) No, the case was filed as untraced.

#### BUND IN THE NORTH OF SADHANARA IN AMBALA DISTRICT.

**\*1622-B. Khawaja Ghulam Samad :** Will the Honourable Minister for Public Works be pleased to state whether the bund proposed to be constructed in the north of Sadhanara, a town in the Ambala district, has been declared by expert opinion as unfit to stand the pressure of the current unless a stone wall with an iron net containing heavy stones at its foot is built ; if so, what action is proposed to be taken in the matter ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** I regret that the answer to this question is not yet ready.

#### MUSLIM REPRESENTATION IN SHAHABAD TOWN COMMITTEE.

**\*1622-C. Khawaja Ghulam Samad :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether the population of the Shahabad town is 14,000 out of which the number of Muslims is 10,000 ;  
 (b) whether, according to the population of each community in the town, five out of eight elected seats and two nominated seats should go to Muslims and that that has been the practice in the past according to the formula of the late Sir Fazl-i-Husain ;

[Kh. Ghulam Samad.]

- (c) what led the Commissioner to deviate from the rules, past practice and an accepted formula ;
- (d) what action the Government proposes to take in redressing the grievances of the Muslims in the matter of their representation in the said committee ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** I regret the answer to this question is not yet ready.

#### UNSTARRED QUESTIONS AND ANSWERS.

##### APPLICATION OF CANTONMENTS ACT TO VILLAGES SAILA AND IDGAH IN JHELM DISTRICT.

**283. Khan Bahadur Raja Muhammad Akram Khan :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that the provisions of Section 286 of the Cantonments Act have been applied to the villages Saila and Idgah in Jhelum district ; if so, whether the District Board, Jhelum, was consulted in this matter ;
- (b) whether it is a fact that the District Board, Jhelum, passed a resolution protesting against the application of certain provisions of the Cantonments Act to the above-mentioned villages ; if so, the reasons why the unanimous opinion of the District Board was disregarded ;
- (c) whether the Government are aware of the fact that the application of these provisions of the Cantonments Act to these villages has caused considerable inconvenience to the inhabitants as shown by the several representations to the Government from time to time ;
- (d) whether it is also a fact that the inhabitants of these villages also made representations regarding this matter to the Honourable Minister for Development during his recent tour in Jhelum district ; if so, the action Government have taken to remove these grievances of the people ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) and (b) By a notification issued in August, 1936, most of the provisions of Chapters IX, X, XI, XII and XV of the Act were extended to an area adjacent to the Cantonment of Jhelum, including the places named. This action was taken as it was found essential, if the amenities of the cantonment were to be preserved and the health of the troops safeguarded to bring this contiguous area under proper sanitary control and to prevent indiscriminate building. The views of the District Board were invited before action was taken. In the sub-committee which considered the case there was a difference of opinion regarding Saila (Idgah is a part of Saila). As regards the other villages affected the sub-committee was unanimous in disavowing the scheme. This report of the sub-committee was adopted by the District Board, but after careful consideration, and taking into account the facilities which the villages enjoyed as a result of their

proximity to the cantonment, Government decided that the objections ought not to prevail.

(c) and (d) Certain complaints were made to the Honourable Minister of Development when he visited the district in September last. Up till then no representations had been received by Government subsequent to the issue of the notification. The alleged grievances of the villagers were carefully investigated in August last by the local civil and military officers. The inquiries made indicate that the action taken in 1936 has not caused any serious hardship, and the Cantonment authorities have made it clear that in their administration of the area they will give all possible consideration to the interests of the villagers.

DECREES PASSED IN CASE OF AGRICULTURAL LAND BY SUBORDINATE  
JUDGE, GUJRAT.

**284. Sayad Afzaal Ali Hasnie :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that in case No. 23 of 1937, Hukam Chand *versus* Jallu on 10th November, 1937, the Subordinate Judge, Class I, Gujrat, passed a decree for Rs. 5,670 with costs, the decretal amount to be a lien on some agricultural land which had already been for a number of years in the possession of the non-agriculturist vendee in whose favour the said decree was passed ;
- (b) whether the said Subordinate Judge forwarded a copy of the decree passed by him in the above-mentioned case to the Deputy Commissioner, Gujrat, as required by Section 21-A (1) of the Punjab Alienation of Land Act, if not, why not ;
- (c) if the answer to (b) above be in the affirmative, the decision arrived at by the Deputy Commissioner, Gujrat, regarding the filing of an appeal against the orders of Subordinate Judge, Gujrat, in this case under Section 21-A of the Punjab Alienation of Land Act ?

**The Honourable Dr. Sir Sundar Singh Majithia :** Attention of the honourable member is drawn to the reply given to question No. \*1381<sup>1</sup>.

MORTGAGES OF AGRICULTURAL LAND IN RAWALPINDI DISTRICT.

**285. Khan Muhammad Yusuf Khan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the number of mortgages of agricultural land nearing sixty years in the Rawalpindi district ;
- (b) the number of mortgages of agricultural land effected before 1901, in the Rawalpindi district ;
- (c) the total area of land covered by mortgages referred to in (a) and (b) above as well as the total amount of mortgage money involved ;

[ Khan Md. Yusuf Khan. ]

- (d) whether the Government is aware of the fact that a number of applications to the Collector, Rawalpindi, have recently been made on this subject ; if so, the action that is proposed to be taken in the matter, if no action is proposed to be taken the reasons for the same ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a), (b), (c) The time and labour involved in the collection of this information will be out of proportion to the results.

(d) No.

#### TEACHING OF HINDI IN SCHOOLS.

**286. Lala Deshbandhu Gupta :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that the number of boys primary schools, vernacular lower middle and middle schools under the control of the district boards in the province where arrangement for teaching Hindi exist is smaller than those where arrangements for teaching other vernaculars have been made ;
- (b) if so, what steps Government propose to take in the matter of providing facilities for the teaching of Hindi in schools where it is not taught ?

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

#### ADDITIONAL POLICE POSTS IN DISTRICT JULLUNDUR.

**287. Master Kabul Singh :** Will the Honourable Premier be pleased to lay on the table a statement showing—

- (a) the names of the villages and towns of Jullundur district in which additional police posts were located between 1st January, 1922 and 31st March, 1937 ;
- (b) the dates of the posting and withdrawal of the Additional Police Post in each such village ;
- (c) the period for which the aforesaid police posts remained located in each village ;
- (d) the total estimated costs of each of these police posts as laid down in the vernacular recovery file ;
- (e) the total amount recovered from each of these villages as cost of the additional police post ;
- (f) the date when the last recovery of the costs was completed in each village ;
- (g) the sanctioned strength of each of the aforesaid police posts ?

**The Honourable Major Sir Sikander Hyat-Khan :** I regret that the answer to this question is not yet ready.

**REPRESENTATION OF MUSLIMS IN PUBLIC HEALTH AND BUILDINGS  
AND ROADS BRANCHES OF PUBLIC WORKS DEPARTMENT.**

**288. Shaikh Karamat Ali :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the percentage of Muslims and Hindus in the cadre of executive engineers and sub-divisional officers in the Public Health Branch and the Buildings and Roads Branch of Public Works Department ;
- (b) whether it is a fact that the number of Muslims in the said branches of this department is extremely meagre ; if so, the action, if any, the Government proposes to take to give adequate representation to the Muslims in these branches of Public Works Department ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) The attention of the honourable member is invited to the Punjab Civil List, where the information will be found.

(b) The policy of Government in the matter is fully explained in the statement made in the Punjab Legislative Council on the 19th July, 1927, by the Finance Member and it is proposed to adhere to that policy.

**PERCENTAGE OF MUSLIM JUDGES AND SUB-JUDGES.**

**289. Shaikh Karamat Ali :** Will the Honourable Premier be pleased to state whether it is a fact that the percentage of Muslim Judges and sub-judges is below their proportionate share ; if so, the steps the Government has taken so far or intends to take to make up this deficiency ?

**The Honourable Major Sir Sikander Hyat-Khan :** I regret that the answer to this question is not yet ready.

**RAM SARAN DASS WARDS OF MAYO HOSPITAL, LAHORE.**

**290. Shaikh Karamat Ali :** Will the Honourable Minister for Education be pleased to state whether it is a fact that heavy wheeled traffic continues on the road which passes near the Ram Saran Dass Wards of the Mayo Hospital, Lahore, from morning to evening ; if so, the action the Government intends to take to remove the nuisance so caused from the vicinity of the said wards ?

**The Honourable Mian Abdul Haye :** Yes. The Police Department, which is concerned with the control of traffic, is considering the question of restricting heavy wheeled traffic to certain routes in Lahore so as to minimise the nuisance in the vicinity of the Mayo Hospital.

**PROVINCIALIZATION OF POST OF SECRETARY, DISTRICT  
BOARDS, PUNJAB.**

**291. Shaikh Karamat Ali :** Will the Honourable Minister for Public Works be pleased to state whether there is a proposal to provincialize the post of the secretary of district boards in the province ; if so, when do the Government intend to give effect to it ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : No.**

**SARDAR TEHL SINGH A POLITICAL WORKER OF VILLAGE BHANGALI.**

**292. Mian Muhammad Iftikhar-ud-Din :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that Sardar Tehl Singh, a political worker of village Bhangali, tahsil and district Lahore, was released from Jail in January, 1937, after serving a sentence of 7 years rigorous imprisonment and was interned a few months after his release in the limits of his village ;
- (b) whether he is aware of the fact that he is suffering from an acute stomach trouble and is in urgent need of medical treatment ;
- (c) whether Government is aware that income from his land is so small that he is unable to pay for his treatment and being a motor driver is unable to earn his living during the period of his internment ;
- (d) if the answers to above parts be in the affirmative, whether the Government intends to take any action in the matter ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) Yes. He was released from Jail in February, 1937, and was restricted to his village in October.

(b) No.

(c) No.

(d) Does not arise.

**WORKING OF THE PUNJAB REGULATION OF ACCOUNTS ACT.**

**293. Shaikh Karamat Ali :** Will the Honourable Finance Minister be pleased to lay on the table of the House a statement showing the results of the inquiry recently held into the working of the Punjab Regulation of Accounts Act in certain districts of the province ?

**The Honourable Mr. Manohar Lal :** Such inquiries as have been made were designed merely to collect certain statistics for the information of Government, and it is not intended to publish the results.

**REGRET BY CHAUDHRI MUHAMMAD ABDUL RAHMAN KHAN, FOR CERTAIN OFFENSIVE REMARKS.**

**Mr. Speaker :**—On the 18th instant, while speaking on the resolution regarding the raising of a fund for repairs and amendments of the Badshahi Mosque, Lahore. Chaudhri Muhammad Abdul Rahman Khan made the following remarks :—

“ Muslims are, no doubt, in power ; but my submission is that they are Muslims only in name. In appearance they are Swami Dayanands and in thoughts English ”.

These remarks, I understand, have offended some honourable members of the House and also some members of the public. But I am glad to state that the Chaudhri Sahib has expressed regret and withdrawn the expression objected to.

## STATEMENT LAID ON THE TABLE.

ACTION TAKEN BY GOVERNMENT ON RESOLUTIONS  
OF THE ASSEMBLY.

Secretary laid on the table a statement showing action taken by Government on resolutions passed by the Punjab Legislative Assembly since April, 1937.

12 Noon.

Statement showing action taken by Government on resolutions passed by the Punjab Legislative Assembly since April, 1937.

Serial No.	Terms of resolutions passed.	Volume, and page of Legislative Assembly Debates.	Action taken.
1	2	3	4
1	This Assembly recommends to the Government that the number of Debt Conciliation Boards be increased in the Punjab.	Volume I, pages 620-51.	It has been decided to establish five more Debt Conciliation Boards.
2	This Assembly recommends to the Government to adopt effective measures for the stamping out of communalism from this province and take immediate action by means of legislative enactments or otherwise to make the recrudescence of communal disturbances impossible.	Volume I, pages 1848 to 1858.	It is hoped that the Unity Conference which was set up before this resolution was passed will reach conclusions that will help to remove the causes of communal disturbances. When the work of the Conference comes to an end the position will be reviewed.

## RULES OF PROCEDURE.

## Rule 39.

**Mr. Speaker :** I have to invite the attention of the honourable members to two amendments which have since been received by me from Sardar Hari Singh, but he cannot be allowed to move his amendments unless Lala Duni Chand withdraws his.

**Lala Duni Chand :** I beg leave to withdraw my amendment.<sup>1</sup>

*The motion was, by leave, withdrawn.*

<sup>1</sup>That in sub-rule (1) of Rule 30, line 3, before the word "Policy" the words "conduct or" be inserted.

**Sardar Hari Singh** (Kangra and Northern Hoshiarpur, Sikh, Rural) :  
I beg to move—

That in sub-rule (1), lines 1—7, for the words “ a motion.....namely,” the following be substituted :—

“ A motion to censure a Minister or to express want of confidence in or disapproval of the policy of the Ministry as a whole may be made subject to the following restrictions, namely :—”

The rule as it stands is totally out of accord with the constitutional practice and procedure wherever cabinet form of Government prevails. The rule lays down that—

“ A motion expressing want of confidence in, or disapproving the policy in a particular respect of a Minister or the Ministry as a whole, may be made.....”

The effect of my amendment would be that the rule will be brought in consonance with the practice prevailing in the House of Commons and with the constitutional practice known in the history of Cabinet Government in England. According to the amendment if accepted, no-confidence motion on matters of policy will be acceptable against the whole ministry, but a censure motion against a single Minister on account of certain acts of his, certain acts of omissions or commissions of his, may be moved against him alone. In moving this amendment and commending it for the acceptance of the House, I am fortified by the history of constitutional usage and practice in England. I shall give quotations later on.

Can you imagine, Sir, that in matters of policy a Finance Minister being censured alone—say on account of taxation policy of Government—and the Government saying that they are not responsible for that policy ? Can you visualise the House bringing in a no-confidence motion against a Revenue Minister because of a fault in his land revenue policy and his colleagues saying that they are not responsible for it, the matter being the concern of Revenue Minister alone ? My submission is that in countries where cabinet form of Government prevails the practice is that for his departmental policy a Minister is responsible to the Cabinet and the Cabinet is responsible to the House. The House has got every right to censure a Minister for his personal acts, but if the House finds fault with the policy, with his departmental policy, no-confidence motion should be brought against the ministry as a whole.

With your permission, Sir, I will quote relevant extracts from the Government of England by Sidney Low. He says at pages 140 to 141 :—

“ But this responsibility of ministers is collective not individual. The administration, as a whole, answers for the acts of its members. ‘ The Cabinet ’ says Lord Morley ‘ is a unit—a unit as regards the sovereign and a unit as regards the legislature..... The first mark of the Cabinet, as that institution is now understood, is united and indivisible responsibility.”

Later on in the same book he says :—

“ The way to punish a Minister, without a general election, is by an adverse vote in the House of Commons on a question which would involve the defeat of himself and his colleagues.....; he will have the mortification of dragging down his colleagues.....”

Further on page 143 he goes on :—

"It does, however, occasionally happen that Parliament is able to take cognisance of the acts of a particular Minister and to isolate him, so to speak, from the sphere of collective responsibility. In 1855 Lord John Russell was personally aimed at when Sir Edward Bulwer Lyton gave notice of a vote of censure "on the minister charged with the negotiations at Vienna." Lord John anticipated the discussion of motion by quitting office....."

He adds :—

"A Minister may be censured by Parliament for irregularities, unconnected with the general action of the administration, and in that event his retirement would not necessarily involve the resignation of his colleagues."

That is the position in England.

Now, Sir, I will quote from Cabinet Government by Jennings. On page 333 he says :—

"The defeat of a Minister on any issue is a defeat of the Government. The proposals made by a Minister, whether or not they have been approved by the Cabinet, are the proposals of the Government. An attack on a Minister is an attack on the Government..... yet the principle must be accepted subject to qualifications. Though the Government accepts responsibility for a Minister's proposal, there is nothing to prevent it from bowing to that feeling of the House to which experienced politicians are sensitive and withdrawing the proposals...."

Further he says :—

"Again a Government does not accept responsibility for a personal mistake by a Minister."

Sir, in the light of these quotations and as the amendment which I have brought forward is in accord with the constitutional practice and usage in other countries where cabinet form of Government exists, I commend my motion for the acceptance of the House.

**Mr. Speaker :** Rule under consideration, amendment moved is—

That in sub-rule (1), lines 1—7, for the words "a motion.....namely", the following be substituted :—

"a motion to censure a Minister or to express want of confidence in or disapproval of the policy of the ministry as a whole may be made subject to the following restrictions, namely."

**Mir Maqbool Mahmood** (Parliamentary Secretary) : Sir, the point raised by my honourable friend opposite is of grave constitutional importance and I think that the importance of the occasion demands that, irrespective of the fact whether we sit on the Treasury benches or on the Opposition benches, we should apply ourselves to this question from the point of view of constitutional precedence and propriety. So far as I have been able to follow his argument, his main contention is that it should be open to the opposition to censure an individual act of a minister and he thinks that the rule, as it has been drafted by the Rules Committee, does not give him that option. I submit that it all depends on the meaning of the word 'policy' as used in the rule. He will find that rule 39 permits a no-confidence motion under various conditions. It may be against a minister or it may be against the ministry. There is also the question of disapproving of a policy. In a particular respect it may be against the ministry as a whole or an individual minister. Where the question of a no-confidence motion of a general nature is concerned, there is no difference between his amendment and the motion as it stands. The only difference comes when an individual act is involved. If he will permit me to invite his attention to the correct meaning of the word 'policy' in the New English Dictionary by Sir James

[ Mir Maqbool Mahmood. ]

Murray, I would invite his attention to the following synonyms of the word 'policy' :—

It says—

"Also means political sagacity; prudence, skill, or consideration of expediency in the conduct of public affairs; statecraft; diplomacy."

Later on it says—

"In reference to conduct or action generally; prudence, expedient, or advantageous procedure; prudent or politic course of action;"

"Also means a course of action adopted and pursued by a Government, party, ruler, statesman, etc."

I submit that the word 'policy' does not include the possibility of the honourable member's taking an individual course of action or individual action if it is approved by the House. The wording of the amendment, as provided by my honourable friend, is very vague and rather not of the right constitutional precedence. The word 'censure' here—censure of a minister—does not limit it to his public conduct or to his official duties. Under his motion it may be open to any honourable member to move for the censure of a minister because he is addressed in a particular manner. The question of no-confidence motions is very important and I would beg my honourable friends opposite not to misunderstand me when I say that we should attach to it the sanctity and importance which it deserves. In this connection I beg to invite their attention to the statement with regard to the dominions that because unfortunately this right was not properly exercised in certain dominions the procedure, the practice and the convention of the House of Commons on this question are not accepted totally in the dominions. In the House of Commons every important vote of no-confidence or censure involves resignation of the ministry. Their position unfortunately is not rigidly accepted in the dominions. I hope we, in this House, will be able to evolve conventions more in accord with the House of Commons procedure than the dominions in this important matter. Therefore, it is necessary to ensure that every little precedent we set up will go to make convention and in framing these rules I would appeal to my honourable friends opposite that they should see whether the purport of what they want is not already there, before they, in their zeal, bring in certain words which may make it too wide and liable to abuse. You may remember that when the House last sat, a very definite question was asked by the Advocate-General as to what was the specific point which the honourable member opposite had in view. It was suggested that they had in view certain types of cases, *e.g.*, when an honourable minister goes on tour in hilly tracts and gets travelling allowances for that journey. I fear that that argument was not clearly advanced. I am sure my friends opposite did not want to make the right—a very important constitutional right—of moving a vote of no-confidence as a trifle to be played with. Obviously, if any honourable minister, I do not insinuate that there is likelihood, behaves in a manner which is not consonant with the public dignity or the public conduct of affairs, that he should continue in the ministry, I submit that his individual act, his individual behaviour, will become a matter of policy in his case and more so in the case of the cabinet because it will be

a question of policy whether the cabinet should retain as a minister a member whose conduct does not inspire public confidence. Therefore, I would submit that in applying ourselves to this case we have mainly to resolve into this question whether or not unconstitutional, illegal or unfair public conduct of a minister is open to be attacked under the rule as it stands. I feel confident that after most careful study of precedents in other countries I can assure my honourable friends opposite that in a matter of this constitutional importance mere incident of our sitting on that side would not debar many of us from accepting an amendment of that nature if we hold that the right is not there. I can assure honourable members opposite that if the right to censure the public conduct of an honourable minister under this rule was not permissible we would not have been party to supporting it and would not have opposed the amendment. Since we are convinced that it is open to us to raise these questions under our policy—if the conduct of a minister is of a nature that it is scandalous, it is against the interest of public, it is against the interest of constitutional propriety that he should not continue in office, we should raise the question of the policy in the cabinet itself—I beg to oppose the amendment.

**Mr. Speaker :** Does the honourable member wish to give any reply ?

**Sardar Hari Singh :** I will put to the Parliamentary Secretary a few questions if he is willing to answer. May I ask whether the remarks made by him in reply to my speech are made on behalf of the Government with full responsibility ? I would further ask whether he would include the charge of corruption against a minister in the purview of policy ?

**Mir Maqbool Mahmood :** With regard to the first question I cannot say that I am speaking on behalf of the Government. With regard to the second question I would say, certainly if a minister were corrupt ?

**Mr. Speaker :** The question is —

That in sub-rule (1), lines 1.—7, for the words “ a motion ..... namely,” the following be substituted :—

“ A motion to censure a minister or to express want of confidence in or disapproval of the policy of the ministry as a whole may be made subject to the following restrictions, namely.”

*The motion was lost.*

**Sardar Hari Singh** (Kangra and Northern Hoshiarpur, Sikh, Rural) :  
I beg to move—

“ That in line 6, of sub-rule (2) for the word “ fifty ” the word “ thirty ” be substituted.

**Pandit Muni Lal Kalia :** On a point of order. Draft rule 39 is *ultra vires* and my reasons are that in this and the following rule, there is a limit fixed and that limit is that 50 members shall rise in their places whenever there is a no-confidence motion or whenever there is a motion for adjournment for purposes of debate. I may refer to section 66, sub-section (3) of the Government of India Act where you will kindly see that the quorum necessary to transact business of the House is 30. I presume that all questions are covered by the provisions of sub-section (3) of section 66 of the Government of India Act, which provides a quorum in the case of a lower chamber to be one-sixth. Then sub-section (1) says—“ Save as in this Act otherwise

[ Pandit Muni Lal Kalia.]

expressly provided, all questions in a Chamber, or a joint sitting of two Chambers of a Provincial Legislature shall be determined by a majority of votes of the members present and voting, other than the Speaker or President, or person acting as such.' I presume that the questions involved in these two rules are covered by questions which this House is competent to discuss. I put a concrete instance before the House through you, Mr. Speaker. Supposing there are only 30 members excluding yourself, who are present in this House. A motion of no-confidence is to be moved against the Ministry. According to the rule as it is now worded, 50 is the minimum number required to stand in their places before the motion can be allowed. As a matter of fact the House is otherwise complete and 30 members can transact the business of the House. It is really ridiculous and unconstitutional that a House which is competent to consider all questions relating to finance, relating to Bills and other things is debarred from bringing forward such motions as of no-confidence or adjournment motions simply because the number has been fixed at 50. I think this number which is now fixed has not been taken from any parliamentary practice. It has only been estimated because of the strength on these benches. My submission is that because a House of 30 is competent to consider all questions, it cannot be debarred constitutionally by the rule made under this Act by raising the number to 50, because in that case when a House of 30 cannot do a thing because of the existence of certain rules, the House is constitutionally debarred from discussing certain questions. With these preliminary remarks I rise to a point of order that these two rules as drafted are *ultra vires* and are against the statutory provisions of the Government of India Act. Mr. Speaker, after hearing from you as also the members on the other side, with regard to this question I will again submit whether the two provisions can be reconciled or not.

**Mir Maqbool Mahmood :** Sir, with regard to the point raised by the previous speaker, I have two submissions to make. One is that the right of moving a no-confidence motion is not a statutory right : it is a right which arises from convention. In the case of resolutions and Bills though every member has a right to move a resolution or a Bill, still for the purpose of regulating the procedure certain rules are framed and there are certain forms of procedure through which that Bill or resolution has to pass. Any member can get up and say that his right of moving a resolution due to regulating of procedure by the House, has been curtailed. Similarly in this case the right to move a no-confidence motion has been regulated by procedure.

Secondly, my honourable friend opposite should remember that the question of a similar motion for the Speaker was brought in and he raised a similar objection but it was ruled out. On the basis of that too I submit that it is not open to the honourable member again to raise that point. Once the decision has been given that the number 50 is perfectly right, it is not open to him to raise that objection again. In view of these two submissions his point of order is not relevant.

**Pandit Muni Lal Kalia :** It has just been pointed out by my learned friend that I raised a similar objection at an earlier stage when the question about the Speaker was in dispute. May I just remind him that this point

was not raised. My point is that the draft rule is *ultra vires*. In this case the objection is substantiated even from the instance of the House of Commons. There, for example, actually the number of members who are required to rise in their places is 40, and fortunately 40 is the number fixed for a quorum in the House of Commons.

**Mir Maqbool Mahmood :** We are only discussing the adjournment or a no-confidence motion.

**Pandit Muni Lal Kalia :** It covers both these cases. I may submit that rule 39 as it stands is *ultra vires*. I will refer later to draft rule 40 which is not under consideration at present. I would submit that conventions and procedure cannot go against the statutory provisions. They must be in accordance with and should not at all come in conflict with the provisions of the Government of India Act, and if there is any such conflict, the only question is whether a convention can supersede and do away with the provisions of the Government of India Act. It is as clear as day light that 30 members of the House can carry on the business of the House. It is one of their business to move a censure motion. It is one of their business to discuss an adjournment motion. If this is the right and the privilege of the House surely it cannot be taken away by a convention. No question of prestige should come in. It might be due to an oversight, otherwise the whole question is quite clear.

**Minister for Finance** (The Honourable Mr. Manohar Lal) : The honourable member in moving that a particular provision which is not new and exists in all the various interim rules, is *ultra vires* of the Act, has a very heavy onus to discharge. He wants to show that the matter is *ultra vires* by invoking the aid of a provision in the Government of India Act that the quorum for the House is 30. But that only means that the House is not properly constituted if 30 members are not present. Nowhere is it stated in the Act that in order that a particular kind of business may be transacted the number shall not exceed 30. Here we are dealing with a specific kind of motion, and prescribing a specific procedure as we did in the case of the Speaker; there we distinctly laid down that 50 members must rise in order that a motion for the removal of the Speaker may be discussed. (*A voice* : That *ultra vires*). The honourable member must not take things so lightly. It is a very heavy onus.

Is it necessary that a motion of the urgency of no-confidence in the ministry which is not a light motion, shall be taken up in that thin House simply because it is provided that 30 shall be the quorum for the House to be properly constituted? In this behalf may I say what the practice is in the House of Commons as regards no-confidence motions? The gist of it is set down in Campion's book at page 91. It runs thus :—

"The first is the 'Vote of Censure,' a motion generally moved by the Leader of the Opposition and leading to a 'full-dress' debate. The challenge of a vote of censure is always accepted by the Government..... The tendency seems to be for a Government to grant the time for such motions whenever there is any reasonable cause of them, deferring them, of course, till after the claims of their own proper business have been satisfied."

There must be "reasonable cause" and that reasonable cause can be gathered in the case of a censure motion only if the Government stands duly apprised that a sufficient body of the House would support that motion.

[Finance Minister.]

It is not the type of motion—a full-dress debate is to ensue—which is to be taken up because a handful of members think that they would like to have a fling at the Ministry. That is not the spirit in which this matter should be taken up. The honourable member opposite has had the temerity to suggest a lack of *intra vires* in this essential provision in our rules. That is not the manner in which the subject of a vote of censure should be approached, and I say so with every confidence. Let a vote of censure be moved. Government will always accept the challenge, but let there be a sufficient backing behind it. Can it be said that in this House if 50 persons are not willing to take it, if the House is so thinly constituted as not to have more than 30 members that the Ministry and the policy of the Ministry and the conduct of the Ministry shall be challenged? No, Sir. When I say this, I speak with full responsibility and clear recognition of the gravity of the issues involved. I see nothing *ultra vires* in the procedure proposed. Any other view is repugnant to a decision already taken by the House as regards the Speaker. This House must resist and repel any suggestions of this character.

**Mr. Speaker :** The honourable Pandit Muni Lal Kalia has argued that in the House of Commons the quorum is 40 and that the number of members required to support an adjournment motion is also 40. He has further argued that under section 66 (3) of the Government of India Act, the quorum of this House is 30, and I am glad to say that his contentions are quite right so far as they go; but they are not sound. The quorum of the Punjab Legislative Council was 15; but an adjournment motion could not be moved unless 20 members rose to support it. I may add that in the Punjab Council a motion to censure a minister could not be moved unless at least 30 members rose to support it; while the quorum of the Council, as already stated, was only 15. Thus it appears to be clear that though under section 66 (3) of the Government of India Act, the quorum of this Assembly is 30, in view of the practice and rules of the old Council, there can be no legal objection if the House passes a rule requiring more than 30 members to support a censure motion against a minister.

**Lala Bhim Sen Sachar :** I have not got up to challenge your ruling. You have been pleased to say that in the last Legislative Council we had rules and standing orders under which the quorum and the number required for moving a no-confidence motion were determined by this House and that those standing orders had the sanction of the Secretary of State.

**Mir Maqbool Mahmood :** In the House of Commons the quorum is 40 including the Speaker and therefore if there is a quorum including the Speaker, you may not have 40 for adjournment motion in Parliament though there would be quorum for all other purposes because the Speaker cannot rise in support of an adjournment motion.

**Mr. Speaker :** That is a very subtle and sound argument. But I am relying on the rules which were in force in the Punjab Legislative Council.

**Lala Bhim Sen Sachar :** May I be permitted to seek this information? In the old Government of India Act it was laid down that the number required—

**Mr. Speaker :** It left this to rules.

**Lala Bhim Sen Sachar :** That is the point of our argument on this side. There it was not determined by the Government of India Act.

**Mr. Speaker :** The Government of India Act left it to the Government of India to make rules with the approval of the Secretary of State and unless those rules were inconsistent with the provisions of the Act, they had as much force as the provisions of the Act itself. The same authority made the two rules, one regarding the quorum of the House and the other regarding the number of members for supporting a motion of censure against a minister.

**Lala Bhim Sen Sachar :** There the authority which made the rules had the right to do as it liked. Here the authority is the Government of India Act and it lays down the law and as you have been pleased to say often, we cannot have any rule which runs counter to the provisions of the Government of India Act.

**Mr. Speaker :** In the same way there the House could not by a standing order fix a number which was inconsistent with the rules made by the Secretary of State.

**Lala Bhim Sen Sachar :** There the Act authorised the House to fix the number.

**Pandit Muni Lal Kalia :** What will be the position of this House in these two matters with regard to no-confidence motion and with regard to adjournment motion if the number of members at that time present was only 30 ?

**Mr. Speaker :** No motion shall be made.

**Pandit Muni Lal Kalia :** That means the House would not be competent to discuss those matters.

**Mr. Speaker :** Yes.

**Lala Duni Chand :** After hearing your learned, clear and lucid exposition of the question, Mr. Speaker, I have no hesitation in endorsing your view. I have got good reasons for doing so. I want to establish a practice in the House that whenever the question of interpretation of the Government of Act or the interpretation of rules arises we must not be actuated by any party consideration. If any member of the Opposition or anybody else raises a point he should unhesitatingly see that the correct view is enunciated. I always like that a healthy practice like that is established in this House.

**Sardar Hari Singh :** Sir, I have moved my amendment and I want to give reasons in support of it. The practice of moving no-confidence motions against Government in the House of Commons is not governed by any standing order or rule. There is a convention there and we want that convention to be translated in the form of a rule here. But we shall come to that later on, and we will fight for it tooth and nail. But here if I propose to substitute '30' for '50' I do that with a set object, with a particular view. I submit that the Opposition should not be counted by heads. The Opposition may consist of 20. It has some constitutional status irrespective of numbers, and the Opposition has always got the right to move a vote of no-confidence against Government through the Leader of the Opposition.

[S. Hari Singh,]

and according to parliamentary practice the Government has got to accept and give a day for a full dress debate. If I want to substitute '30' for '50' my object is that on a certain point there may be a minor group which may have no confidence in the Government for certain reasons and may require to discuss the policy of the ministry on certain matters. In such a case the number may be fixed at a smaller figure. I submit that the quorum of the House is 30. That means that 30 members of this House have got a right to transact the business of the House. They have got the right to pass any Bill. Thirty members of this House have got a right to take any momentous decision in the name of 20,000,000 people of this province. If 30 men can take such a decision on behalf of the whole House, is not the figure 30 enough for bringing in a vote of no-confidence? What is the sanctity or magic that attaches to the figure '50'?

In case, the amendment, which comes later on in the name of my honourable friend Munshi Hari Lal, God forbid it, if it is not accepted by the Government, that will mean that the Opposition for the full 5 years will have no chance of discussing the policy of the Government and bringing in a censure motion.

I submit that the objects of a censure motion are two-fold. The one object is to defeat and turn out the Ministry and when that eventuality comes and when the contingency arises that the Government has lost the confidence of the majority of the House, no rules of procedure can prevent the sweeping away of the Ministry. The second object is to discuss the policy of the Government on certain matters. The Opposition have every right to discuss it at any time, so that it is equally advantageous to the Government and the Opposition and it is the right of the electorates to know where the Government stands on certain matters. During the debate the Government lays all its cards on the table. It explains the full implications of its policy. In the light of criticisms forthcoming from the Opposition, the Government may revise its policy or the Opposition may revise its views. The Government seems to think that once it has come into power, it is representative of the people throughout, whatever its policy and acts. The history of responsible Government in England tells us that the Government may cease to represent a nation a month after its election and get out of office.

**Mr. Speaker :** Rule under consideration, amendment moved—

"That in line 6 of sub-rule (2), for the word "fifty," the word "thirty" be substituted."

**Raja Ghazanfar Ali Khan** (Parliamentary Secretary) : Sir, I am afraid that my honourable friend, the mover of the amendment, was confusing two things—the opportunity of criticising certain action and policy of the Government and the opportunity of driving out the Government in power. As far as the opportunity of criticising the policy of the Government is concerned, that, as we all know, can be done by various methods. The Opposition has the opportunity of criticising the policy of the Government by moving adjournment motions. They have an opportunity of criticising it at the time of budget. They have full opportunity of criticising the policy of the Government by means of resolutions. But

here the question is that the Opposition have no confidence in Government, which means, in other words, that they want to take the place of Government and put the Government out of office. Now, everybody would realise that unless a party is able to command 50 members out of the strength of 175, they should not dream of replacing the Government in power.

**Sardar Hari Singh :** May I inform the honourable member —when he says that the policy of the Government can be discussed by means of an adjournment motion—that he is unaware that it has already been ruled out of order.

**Raja Ghazanfar Ali Khan :** I would submit that if the object of the Opposition is merely to get an opportunity almost in every session, if not every day, to criticise the policy of the Government and to take the time of the House by such criticism which would not lead to any fruitful results, then I think the House will be advised to fix the number of members which would appear reasonable. To move a no-confidence motion, we would ordinarily require at least about 90 members. The number of 50 has been fixed because we see that if the Opposition at a time may persuade 50 members to ask for leave to move a no-confidence motion, they might think that they will be able to persuade another 40 members by their speeches. But if they cannot get even 50 members to support them in asking for leave to move a no-confidence motion against the Ministry, it would be much better if they do not move that motion at all. I would request the honourable members of this House that they should not mix these two questions of criticising certain action of the Government and driving out the Government from power. This amendment merely concerns no-confidence motion against the Government. This can be done by other methods, even if they get less than 50 members to support them in their view. Therefore I think the House will unanimously turn down this proposal.

**Lala Duni Chand** (Ambala and Simla, General, Rural): Sir, an identical motion stands in my name, but as my honourable friend, Sardar Hari Singh, has moved this amendment, it is not necessary for me to move mine.

I hold very strong views with regard to the amendment that has been moved by Sardar Hari Singh. It furnishes an acid test on which we want to test the good faith of the Government benches and the good faith of their supporters. I know that it is not a motion which will be moved frequently. Perhaps no occasion might arise in course of the existence of the present regime. But all the same it is absolutely necessary that provision should be made to meet any possible case that might arise in course of the life of the Ministry. I submit that the Government benches claim that it is their duty to carry on the Government of the province; they are most responsible men in this House and they are bearing the burden of responsibility. I say, if they insist upon retaining number 50, as proposed in the draft rules, it means that while they claim responsibility for themselves, they deny to recognise that very responsibility on our part. We say that, as members of the Opposition, we are equally responsible. We weigh everything before we place it before the House. The question to be considered is whether the number 30 that is proposed in this amendment, is a very big number. If you take into consideration the normal attendance

[L. Duni Chand.]

of the House it generally comes to 120. Thirty is 1/4th of that number. So, if 1/4th of the strength of this House wants a no-confidence motion, it cannot possibly be said that they are actuated by sense of no responsibility. I say that this question of responsibility is reciprocal. At times it is on the Government side and at times it is on our side. We have had some experience of the divisions. Ordinarily the Opposition has had votes on its side varying between 30 to 36. It is only once or twice that the Opposition got 44 votes. If this number of 50 is retained, it means that it is sought to render the moving of such a motion impossible. Are they going to make rules, which will make it impossible for any no-confidence motion to be moved? Can they fairly and honestly say that unless 50 members want a no-confidence motion, no motion should be moved? The strength of the Opposition should also be taken into consideration. Had the strength

1 P.M.

been 70 or 75 members, it might have been quite harmless to raise the number to 50, but having regard to the fact that the strength of the Opposition is only less than 40 and out of these 40 members only 30 or 32 attend the meetings of the Assembly it is only fair that the amendment moved by Sardar Hari Singh should be accepted by the House.

I may also remind honourable members opposite that the occasions to move no-confidence motions will be very very rare and that is another argument in support of this amendment. I would request honourable members of the Government to take notice of what is happening in the country. I wish they could understand what are the pulsations of the country. There are hundreds of meetings attended by thousands of people who demand that the state of things should be entirely changed, who demand complete independence to be established in the country. Political situation of the country demands that at least such a small demand—as is asked for here in the shape of this amendment—should be accepted. I know that the House is at the present moment dominated by members representing a certain political cult. They have their own way in regard to every big or small proposition that may be before us. But I would draw their attention to what happened in Russia where not many years ago the country was dominated by Czar and his followers. I know this House is also dominated by so many Czars and we are passing through the regime of Czars.

**Minister for Finance :** Measure your words.

**Lala Duni Chand :** I do admit that you have been successful in having returned to this House members of your own choice. May I ask how many members of the Unionist Party really understand all the implications of the present day happenings in the country?

**Honourable Members :** The honourable member should withdraw those remarks.

**Lala Duni Chand :** I withdraw. I did not mean any reflection on any honourable member on the other side. I want to impress that by gagging and muzzling the proposals that are being brought forward from this side of the House, Government members attempt to take away every little right that we possess. If the Government is going to rob us of our rights one after another, we welcome it because a day may come when it

might be necessary for you to carry on your discussions after having closed these doors upon us. In that case you will be the losers and not we and as a matter of fact, we want to reduce you to that position so that it may be impossible for you to carry on the Government except through ordinances.

**Mr. Speaker :** The honourable member is irrelevant.

**Lala Duni Chand :** I consider it my duty to give honourable members opposite a timely warning. If they accept it so much the better for them, otherwise the day of their reckoning is not far off.

*The Assembly then adjourned for lunch.*

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*The Assembly re-assembled at 2-10 P.M. Mr. Speaker in the Chair.*

PERMISSION TO DIWAN CHAMAN LALL TO RESUME HIS SEAT.

**Mr. Speaker :** Honourable members, the Leader of the Opposition has requested me to allow Diwan Chaman Lall to come back. I have no objection to his coming back provided the House has none.

**Premier :** Sir, I was not present here when the incident happened, but I must say that it was an unpleasant and unfortunate incident. I have had a talk with my honourable friend Diwan Chaman Lall. The word used by him was conveyed to me. It seemed to me to be very improper, but I do not think that he meant to insinuate anything against the member or the Government, and in the circumstances I suggest that you may be pleased to allow him to come back.

**Mr. Speaker :** He may come back. (*Voices : No objection.*)

*(Diwan Chaman Lall then took his seat in the Assembly.)*

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## RULES OF PROCEDURE.

**Premier :** I was also going to suggest that, in view of the fact that we are all very anxious to get through the rules quickly, only one speech from each side should be made (*Voices : No, no.*)

One speech should be made from each side and then the motion should be put to the House. If this procedure is not adhered to, we would not be able to finish the rules in time. In that case they will have to wait till the next autumn session to go through the rules because there will be no time during the budget session.

**Dr. Gopi Chand Bhargava :** We have considered all the rules and have decided the amendments that we are going to support and, therefore, I do not think that it will take much time provided, if necessary, we sit for one day more. I think that we will finish them but to agree to only one speech on every amendment seems to be difficult. In some cases it may be quite proper but in other cases questions might arise for which some more things may have to be said. Therefore I submit that it should not be the rule that only one speech may be made from each side. We are also anxious that the rules be passed in this session and we will try our level best to facilitate the work of the Assembly.

**Premier :** There is no question of ruling that there should not be more than one speech. I ask for co-operation from my honourable friends opposite. Normally, where there is no difference of opinion the rule should be put to vote at once, and where there is much difference of opinion, if possible, only one member on each side should speak.

**Chaudhri Kartar Singh (Urdu) :** Sir, our resolutions are always disallowed. I would, therefore, request that it matters little if the duration of the session is extended for one week more.

**Sardar Sohan Singh Josh :** I think we can get over the difficulty if the members on the Government benches do not speak and we are allowed to speak as much as we can.

**An Honourable Member :** Honourable members opposite should not propose unreasonable amendments. Discussion on such amendments takes so much time of the House.

**Mr. Speaker :** The question is—

That the question be now put.

*The motion was carried.*

**Mr. Speaker :** The question is—

That in line 6 of sub-rule (2), for the word 'fifty,' the word 'thirty' be substituted.

*The Assembly divided : Ayes 24 ; Noes 59.*

#### AYES.

Ajit Singh, Sardar.  
Bhagat Ram Choda, Lala.  
Chanan Singh, Sardar.  
Duni Chand, Lala.  
Gopi Chand Bhargava, Dr.  
Hari Lal, Munshi.  
Hari Singh, Sardar.  
Kabul Singh, Master.  
Kapoor Singh, Sardar.  
Kartar Singh, Chaudhri.  
Kartar Singh, Sardar.  
Kishan Singh, Sardar.

Lal Singh, Sardar.  
Muhammad Iftikhar-ud-Din, Mian.  
Mula Singh, Sardar.  
Muni Lal Kalia, Pandit.  
Partab Singh, Sardar.  
Prem Singh, Mahant.  
Raghubir Kaur, Shrimati.  
Rur Singh, Sardar.  
Saif-ud-Din Kitchlew, Dr.  
Sampuran Singh, Sardar.  
Sant Ram Seth, Dr.  
Sohan Singh Josh, Sardar.

#### NOES.

Abdul Rahim, Chaudhri (Gurdaspur).  
Ahmad Yar Khan, Daulatana, Khan Bahadur Mian.  
Ahmad Yar Khan, Chaudhri.  
Akbar Ali, Pir.  
Amjad Ali Shah, Sayed.  
Anant Ram, Chaudhri.  
Badr-mohy-ud-Din, Qadri, Mian.  
Chhotu Ram, The Honourable Chaudhri Sir.  
Dasaundha Singh, Sardar.

Faiz Muhammad, Shaikh.  
Farman Ali Khan, Subedar Major.  
Fateh Jang, Singh, 2nd Lieutenant Bhai.  
Fateh Khan, Raja.  
Fateh Muhammad, Mian.  
Fazl Ali, Khan Bahadur Nawab Chaudhri.  
Fazl Karim Bakhsh, Mian.  
Ghazanfar Ali Khan, Raja.  
Ghulam Rasul, Chaudhri.

Girdhari Das, Mahant.  
 Gopal Das, Rai Sahib Lala.  
 Gopal Singh (American), Sardar.  
 Habib Ullah Khan, Malik.  
 Hans Raj, Bhagat.  
 Hari Chand, Rai.  
 Jagjit Singh Man, Sardar.  
 Jahan Ara Shah Nawaz, Mrs.  
 Jahangir Khan, Chaudhri.  
 Jalal-ud-Din, Amber, Chaudhri.  
 Karamat Ali, Shaikh.  
 Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major.  
 Kishan Das, Seth.  
 Manohar Lal, The Honourable Mr.  
 Maqbool Mahmood, Mir.  
 Mubarik Ali Shah, Sayed.  
 Muhammad Ashraf, Chaudhri.  
 Muhammad Hassan Khan, Gur-  
 chani, Khan Bahadur Sardar.  
 Muhammad Husain, Sardar.  
 Muhammad Husain, Chaudhri.  
 Muhammad Sarfraz Khan, Raja.  
 Muhammad Shafi Ali Khan, Khan  
 Sahib Chaudhri.  
 Muhammad Wilayat Husain, Jeelani  
 Makhdumzada Haji Sayed.

Mushtaq Ahmad Gurmani, Khan  
 Bahadur Mian.  
 Muzaffar Khan, Khan Bahadur  
 Nawab.  
 Narendra Nath, Diwan Bahadur  
 Raja.  
 Nasir-ud-Din, Chaudhri.  
 Nasrullah Khan, Rana.  
 Nawazish Ali Shah, Sayed.  
 Ram Sarup, Chaudhri.  
 Ranpat, Chaudhri.  
 Ripudaman Singh, Thakur.  
 Sahib Dad Khan, Khan Sahib  
 Chaudhri.  
 Shah Nawaz Khan, Nawab Khan.  
 Sikander Hyat-Khan, The Hon-  
 ourable Major Sir.  
 Sultan Mahmood Hotiana, Mian.  
 Sumer Singh, Chaudhri.  
 Sundar Singh Majithia, The Hon-  
 ourable Dr. Sir.  
 Tara Singh, Sardar.  
 Tikka Ram, Chaudhri.  
 Wali Muhammad Sayyal, Hiraj,  
 Sardar.

**Lala Bhagat Ram Choda :** I move—

That in line 6 of sub-rule (2) of Rule 39, for the word "fifty" the word "thirty-five" be substituted.

*The motion was lost.*

**Diwan Chaman Lall** (East Punjab, Non-Union Labour): I beg to move—

That in sub-rule (2), lines 8—11, for the words "such day..... appoint," the words "the same day or the next working day" be substituted.

Sir, the difference in my amendment, which I am putting before the House and the actual draft is a difference of days only. Here it is stipulated that the Speaker shall intimate that leave is granted and that the motion will be taken on such day, not being more than ten days from the day on which leave is asked, that is to say that this period of ten days is imperative for moving this motion. My amendment seeks that instead of a period of ten days, it should be taken up the same day or the next working day. The reason which is a very simple one, is this that when a no-confidence motion is moved against the Ministry I think it is right that the Ministry should not delay in answering the charge made against them in the no-confidence motion. The period of ten days seems to me an unnecessary time wasted in facing the charge which the Opposition wishes to make against the Ministry. A ministry should at all times be prepared, as happens

[Diwan Chaman Lal.]

in other legislatures, to face the charge of no-confidence at the earliest possible moment. At all times they should be prepared to face the charge. Therefore, I submit, Mr. Speaker, that the time contemplated in the draft rules should be deleted and the amendment which I am moving should be accepted both for the convenience of the Ministry and of the House at large.

**Mr. Speaker :** Rule under consideration, amendment moved —

That in sub-rule (2), lines 8—11, for the words "such day, ..... appoint," the words "the same day or the next working day" be substituted.

**Sardar Dasaundha Singh (Deputy Speaker) :** So far as the reduction of the time of 10 days is concerned, it is to be noted that in this respect the motion is a rather serious one. No time of notice is required as regards this motion. The statement comprising the motion is to be made over to the Speaker at the beginning of the sitting. Now if the motion is taken up the same day or even the next working day, then very little or no time is allowed to the Government for preparing their case. It is only as a matter of necessity that this provision is made in the rule. In ordinary motions there is a period of notice specified. In this case ten days time is not a long period. I therefore oppose this amendment.

(Voices : Question be now put.)

**Diwan Chaman Lal :** Sir, the Honourable Deputy Speaker has given an explanation why he wants 10 days instead of accepting my amendment. The reason given is that Government want time to prepare their case to meet the charge of no-confidence levelled against them. I am afraid that the actual practice of presenting a no-confidence motion does not necessarily require that time should be taken by the Ministry to prepare their case. I give one example. Suppose from this side of the House on an important matter a particular motion is moved and the Government are defeated. That means a no-confidence motion. They do not in that particular case ask for time to prepare their case and then face the charge levelled against them. According to procedure the Opposition, if it is strong and has a majority, can move a motion on any particular subject and can move an amendment. If the amendment is of a substantive nature, which goes to the root of the responsibility of the Minister and that amendment is carried, it is tantamount to a no-confidence motion. At that particular stage if that is carried against the Government, I have not heard of a Ministry asking for a grace of ten days in order to prepare their case. If that can happen at any time and if the Government can without notice be defeated on this issue and thereby offer their resignation, why on a substantive motion should not the same procedure be adopted and why should Government require ten days' notice to prepare their case? Surely, at any time they should be prepared to face the position. I have not the slightest doubt that as far as the Premier is concerned, he will agree with me when I say that as far as he is concerned—he is prepared at any time to face any sort of no-confidence motion, with a majority behind him, and even if he did not have it, he would be prepared at any time to face the position.

**Premier (The Honourable Major Sir Sikander Hyat-Khan) :** Since my honourable friend opposite has personally referred to me, I think I

might say a word. So far as the present Government is concerned, if unfortunately at any time any section of the House wishes to move a vote of no-confidence against it, we would be glad to accept the challenge and the gauntlet will be taken up without unavoidable delay, and I can assure him that the Government will be prepared to meet any charges brought by the Opposition. But, Sir, naturally on a point of that major importance there must be a full-dress debate—a debate in which all the sections are prepared and can take the fullest part according to their strength. Government, also, I think, should in that case be given this much latitude that they be not faced with this position suddenly. Therefore they should have time to full discussion and, it may be necessary and desirable to have an adequate case prepared. This is what happens in the Houses of Parliament. With your permission I should like to read a very brief sentence which would give the gist of the argument put before you.

"The tendency seems to be for a Government to grant the time for such motions wherever there is any reasonable cause for them, deferring them, of course, till after the claims of their own proper business have been satisfied.

That is the convention in the Parliament and I am quite prepared to accept that convention for this House also.

**Mr. Speaker :** The question is—

That in sub-rule (2), lines 8—11, for the words "such day. . . . . appoint," the words "the same day or the next working day" be substituted.

*The motion was lost.*

**Munshi Hari Lal** (South-Western Towns, General, Urban) : I rise to move—

That at the end, the following proviso be added :—

"Provided that the Leader of the Opposition at any time may move a vote of want of confidence notwithstanding the restrictions laid down in above-mentioned clauses (a) and (b) of sub-rule (1) and sub-rule (2) and within reasonable limits the Leader of the House will always assign a day for the purpose."

Mr. Speaker, my object in moving this proviso is that it is absolutely necessary that such a proviso should be provided in the rules. We have seen, as the preceding clauses show that unless 50 members rise, no vote of want of confidence can be moved. Now I am appealing to the House that the Leader of the Opposition may have the power of moving a vote of no-confidence and asking the Leader of the House to assign a day for the purpose irrespective of the restrictions that are laid down in the rule. I am not moving a novel thing. We have often seen that the rules of the House of Commons are being referred to by the Government benches. Reference is often made to the rules that govern the House of Commons. Indeed the very existence or the justification of a rule which has been drafted in these rules is always being made on the basis of a similar rule prevailing in the House of Commons. Now the proposition is very simple. Government benches always quote that this rule or that rule prevails in the House of Commons and Government have been appealing to us to agree to certain rules on that ground. It is our turn now to appeal to them to accept a rule that exists in the House of Commons. (*A voice : There is no such rule in the House of Commons.*) An objection is being made to the use of the word 'rule'. I submit it is a convention in the House of Commons, it is a practice in the House of Commons. Unless you fight

[ Munshi Hari Lal.]

with the words, unless you fight with the shadows, it means the same thing as a rule. I submit that there is a convention in the House of Commons and all I want is that that practice or convention should be translated into a rule and be inserted clearly in the rules that are going to govern the procedure of this Assembly. I confess that I have plagiarized some of the words from Lowell's Government of England. On page 330, 1919 Edition, dealing with motion of vote of no-confidence the writer says :—

“The Leader of the Opposition has one more. He can at any time claim to move a vote of want of confidence and within reasonable limits the Leader of the House shall always assign a day for the purpose”.

And the same thing appears in *Campion* which is such a favourite with the Government benches and which is often cited and quoted. In *Campion*, on page 91 it says :—

“The first is the ‘Vote of Censure’,—a motion generally moved by the Leader of the Opposition and leading to a ‘full-dress’ debate.

and so on and so forth. I need not read out the whole paragraph but I submit that I have cited the authorities in support of the proposition which I am discussing before the House and I am standing on a rock when I ask the Government benches to accept my motion and to include the rule in the rules which are before the House. My reason is that a power in the hands of the Leader of the Opposition will not be abused unless Government benches maintain that the Leader of the Opposition is a mere architect of ruin, unless the Government benches say that the Leader of the Opposition always creates obstructions, whoever he may be. The Leader of the Opposition is a responsible person and when I am arming him with this power, I am creating a further responsibility for him—a responsibility which is so heavy and oppressive. He will be the best judge as to at what time he should move a vote of no-confidence.

The necessity for such a rule is indispensable in this province. I insinuate against none when I refer to a Minister or Ministry. I am talking only in the abstract sense of the word. I am impersonal, I am not at all personal. My submission is that the statecraft of the province is not very sound. The statecraft has got so many holes and the barge is surrounded by so many sharks. There is the question of communalism and there is also the question of separate electorates in this province. (*Interruption.*)

My submission is that we must see that the administration is purified. I may point out that there are holes ; there are certain circumstances in this province which justify the existence of such a power with the Leader of the Opposition. What are those circumstances ? There is communalism. The province is seething with religious, social, economic and political differences. I submit that to say that there is smooth sailing in this province is surely to shut our eyes to the stern realities and facts. We are returned to this Assembly on separate electorates. Naturally however cautious we may be, we are likely to be drawn into the vortex of controversy of communalism. There may arise a fungus growth round the administration ; there may be mist settling down round it. We must have the chance to apply pruning knife in order to remove it. We must have a switch to turn the search light upon the ministry and purify the administration. My submission is that

in the circumstances in which we are placed fortunately or unfortunately it is all the more necessary that the power of criticising the Government, the power of bringing the administrative errors to the notice of the Government, the power of providing means for the removal of grievances—

**Mr. Speaker :** What has that to do with the question before the House ?

**Munshi Hari Lal :** A vote of no-confidence is moved in order to ventilate the grievances of the public, in order to criticise the policy of the Minister.

**Mr. Speaker :** May I invite the honourable member's attention to the fact that the first two parts of the rule have practically been passed and that he is now discussing the exception.

**Munshi Hari Lal :** A motion 'expressing want of confidence in, or disapproving the policy in a particular respect of a Minister or the ministry as a whole, may be made, subject', etc., I submit if a minister or ministry adopts a policy which is objectionable—and I am giving reasons to show that the adoption of an objectionable policy in such circumstances will not be rare—

**Mr. Speaker :** Reference to sub-clauses (1) and (2) is absolutely irrelevant unless it is necessary for discussing the exception.

**Munshi Hari Lal :** Well, Sir, I submit that power should be given to the Leader of the Opposition in order to move a vote of want of confidence, if not on any other ground, at least on the ground that it prevails in the House of Commons.

**Mr. Speaker** Rule under consideration, amendment moved is—

That the following proviso be added at the end of rule 29 :—

"Provided that the Leader of the Opposition at any time may move a vote of want of confidence not withstanding the restrictions laid down in above-mentioned clauses (a) and (b) of sub-rule (1) and sub-rule (2) and within reasonable limits the Leader of the House will always assign a day for the purpose".

**Sardar Dasaundha Singh (Deputy Speaker) :** Sir, the honourable member has been confusing two things. The first thing is that there is no such practice in the House of Commons that the Leader of the Opposition is given a peculiar position, a position different from that which is occupied by other members. (*Hear, hear.*) There is no written rule of procedure that gives the Leader of the Opposition a peculiar privilege that he can at any time move a motion of no-confidence. It is only by virtue of a convention that has grown there by centuries that whenever the Opposition wants to move a motion of no-confidence, the Leader of the House provides time for it. That is a different matter altogether. It has nothing to do with a definite written rule of procedure. Now, if my honourable friend would refer to *Campion* at page 90, he will find there that it is not by virtue of any written rule of procedure that the Leader of the House always provides time for a motion of no-confidence. It is by virtue of a healthy convention. Later in the same passage my friend will find that no-confidence motion is very rarely moved there. There is provision in Parliament for other motions which amount only to criticism of Government policy. Here too the Honourable Premier has more than once promised to allot time for discussion of matters which are looked upon as important when the Leader

[ S. Dasaundha Singh.]

of the Opposition wants time to discuss those matters. The foundation has been laid for a healthy convention in this respect and that convention might grow in time. The other convention covers a serious matter. If a no-confidence motion is to be moved, then the opposition should be on a solid footing. If they have only a few members at their back, if there is no chance of their turning out the party in power, then there is no use moving that motion. The authority which has been referred to by my friend does not show that it is a rule of procedure. The Leader of the Opposition has no peculiar position and no special privilege to move that motion. With these words I oppose the motion. (*Cheers*).

**Premier** (The Honourable Major Sir Sikander Hyat-Khan) : I must confess I have not quite clearly followed what my honourable friend opposite said. I, of course, know that it is the privilege of learned lawyers to be irrelevant; there he has an advantage over me, and I am afraid that my friend in spite of being a learned lawyer has made a preposterous proposition that all the rules and regulations should be swept away. I do not think that any constitution or any rules or standing orders in any parliament in the world suggest or can suggest such a thing. As the Deputy Speaker has pointed out, the reference which my honourable friend has quoted means nothing more than that a healthy convention has been set up in the House of Parliament where it is only the Leader of the Opposition and nobody else who gives notice of a vote of no-confidence and it is for my honourable friends opposite to create a healthy convention amongst themselves, so that nobody else, no free lance or no impetuous back-bencher tries to forestall his leader. It is for them to set up a convention and leave it to the Leader of the Opposition. But that does not mean that all the rules and regulations should be swept away. What does my honourable friend want? He desires us to pay no heed to sub-rule (1) of rule 39. Rule 39 (1) (a) says :

Leave to make the motion must be asked for after questions and before the business on the list for the day is entered upon.

Rule 39 (1) (b) says :

The member asking for leave must before the commencement of the sitting of the day leave with the Secretary a written notice of the motion which he proposes to make.

Now my honourable friend would sweep all that straight away. That means that he would give that power which nobody in this House has got to the Leader of the Opposition so that whenever he likes he would get up and say, 'Sir, I want to move a vote of no-confidence'. Has that ever been heard of in any properly constituted parliament? I would ask the House whether they would be prepared to accept such a monstrous proposition as that and flout the rules of the House in regard to its business? I submit again that it is for the Opposition to set up a healthy convention that nobody but the Leader of the Opposition should move such an important motion as one of no-confidence and if they are well disciplined I dare say that that healthy convention will be set up and we should seek to help them in every possible way to see that that convention is encouraged.

**Diwan Chaman Lall** (East Punjab, Non-Union Labour) : Mr. Speaker, the Honourable Premier has drawn a red herring across the track, that is,

across this question. I do not find in the speech delivered by my honourable friend Munshi Hari Lal or in any statement made by him where he said "sweep away the rules of procedure".

**Premier :** That is what his amendment says.

**Diwan Chaman Lal :** Yes, I will explain the position. I think there is some misunderstanding about it. He suggested that a supplementary method of censure be adopted by this House. It does not necessarily mean wiping away all the other methods that have been adopted. It is an extra method of procedure that is being suggested on the analogy of the House of Commons. Let me read it out. It says :

"Provided that the Leader of the Opposition at any time may move a vote of want of confidence notwithstanding the restrictions laid down in above-mentioned clauses (a) and (b) of sub-rule (1) and sub-rule (2) and within reasonable limits the Leader of the House will always assign a day for the purpose".

That is, notwithstanding the particular limits laid down in this particular motion, presented before the House this is an additional procedure to be adopted. Does it mean that the other procedure cannot be adopted ? (*Interruption.*) Nobody is going to be foolish enough to bring in on the same day two no-confidence motions on the same issue. My learned friend is drawing upon his imagination to such an extent that he is making himself believe that on the same particular day two no-confidence motions on the same issue can be moved, apart from the fact that they would be ruled out of order.

The fact still remains that what my honourable friend, Munshi Hari Lal wants by his amendment is that an additional procedure should be adopted. If you are clear on that point, we have got to find out whether this additional procedure is a desirable procedure or not. My learned friend the Deputy Speaker laid down certain proposition of a most extraordinary nature. One of the objections that he raised to this extraordinary procedure is this that it is not to be found in the written rules of the House of Commons. I do not know if my learned friend is a constitutional lawyer. But there is a French saying of a very great French constitutional lawyer, who wrote a great book on the British constitution and he said about the British constitution—" il n'existe point " (it does not exist.) You will not find the British constitution reduced to writing in any particular document. It is not to be found and same thing applies, generally speaking, to the rules which apply to the House of Commons. There are standing orders, but we know perfectly well that Rules of Procedure of the House of Commons were evolved, not by written statute, but they were evolved because of a convention set up in the House of Commons. (*Premier :* Subsequently codified). Some of them were codified and not all. This is one of those which were not codified in writing to that extent. Because it has not been codified, may I take it from the learned Deputy Speaker that it has no validity or not as much validity as codified rules have ? Is that the object ? Does it or does it not appear to my learned friend that this rule relates to the Leader of the Opposition being in a position to bring forward a no-confidence motion ? Has not this motion the same validity as any other rule in the House of Commons ? Is that denied ? I take it that my honourable friend does not deny it. If it is not denied, where is the force of his argument that it is not a written rule ?

[Diwan Chaman Lal.]

The second position which my honourable friend took up was this that the Opposition should be certain of a certain majority before they move a no-confidence motion. It was an extraordinary proposition to lay down that unless and until you are certain that you are going to defeat the Government, you should not bring in a censure motion. That is the proposition of my honourable friend Nawab Muzaffar Khan for whom I have great respect—who is shaking his head. But he can take it from me and I am quoting him, generally speaking, his proposition lays down that in no circumstances should the Opposition bring in a no-confidence motion, unless the Opposition is absolutely certain of defeating the Government by a majority. (*Raja Ghazanfar Ali Khan*: He never said that). He said that the majority should be on the solid footing, which means that they must be in a position to replace the Government. That is not the object of a no-confidence motion always—I do not say never—It may be the object at a time when the Opposition feel that they can replace the Government, but on 101 occasions a small meagre minority like that in the House of Commons, when the Labour Government went out into wilderness, were in a position to have the command of 124 votes only out of 667 and yet had the right to move these motions. Well, they were in opposition and at any time when the Leader of the Opposition wanted to move a no-confidence motion with the consent of the Government of the day, he could do so.

What my honourable friend Munshi Hari Lal is demanding is that a day should be allotted for this purpose at the discretion not of the Opposition but at the discretion of the Honourable Premier. A little while ago, the Honourable Premier said on the floor of the House—and I am perfectly certain of the attitude that any Premier with a sense of responsibility would adopt—he said definitely that he is prepared at any time to hear a debate and discussion on a no-confidence motion on the floor of the House if he deems it proper. Surely, when the Leader of the Opposition demands a day for discussion of a no-confidence motion from the Honourable Premier, he will be informed, "Alright, I will give you a particular day and time convenient to me to discuss the motion". It seems to me that both sides of the House

3 P.M.

are agreed to this proposition and therefore, there should be no opposition to the amendment moved by my honourable friend Munshi Hari Lal.

**Mr. Speaker :** The question is—

That at the end, the following proviso be added—

"provided that the Leader of the Opposition at any time may move a vote of want of confidence notwithstanding the restrictions laid down in above-mentioned clauses (a) and (b) of sub-rule (1) and sub-rule (2) and within reasonable limits the Leader of the House will always assign a day for the purpose".

*The Assembly divided : Ayes, 92 ; Noes, 88.*

AYES.

Ajit Singh, Sardar.  
Baldev Singh, Sardar.  
Bhagat Ram Choda, Lala.  
Bhagat Ram Sharma, Pandit.  
Bhim Sen Sachar, Lala.  
Chaman Lal, Diwan.

Chanan Singh, Sardar.  
Deshbandhu Gupta, Lala.  
Duni Chand, Lala.  
Gopi Chand Bhargava, Dr.  
Hari Lal, Munshi.  
Hari Singh, Sardar.

Kabul Singh, Master.  
 Kapoor Singh, Sardar.  
 Kartar Singh, Chaudhri.  
 Kartar Singh, Sardar.  
 Kishan Singh, Sardar.  
 Lal Singh, Sardar.  
 Muhammad Abdul Rahman Khan,  
 Chaudhri.  
 Muhammad Iftikhar-ud-Din, Mian.  
 Mula Singh, Sardar.  
 Muni Lal Kalia, Pandit.

Partab Singh, Sardar.  
 Prem Singh, Mahant.  
 Raghubir Kaur, Shrimati.  
 Rur Singh, Sardar.  
 Saif-ud-Din Kitchlew, Dr.  
 Sampuran Singh, Sardar.  
 Sant Ram Seth, Dr.  
 Shri Ram Sharma, Pandit.  
 Sohan Singh Josh, Sardar.  
 Sudarshan., Lala.

NOES.

Abdul Haye, The Honourable Mian.  
 Abdul Rahim, Chaudhri (Gurdaspur).  
 Abdul Rahim, Chaudhri (Gurgaon).  
 Ahmad Yar Khan Daulatana, Khan  
 Bahadur Mian.  
 Ahmad Yar Khan, Chaudhri.  
 Akbar Ali, Pir.  
 Ali Akbar, Chaudhri.  
 Amjad Ali Shah, Sayed.  
 Anant Ram, Chaudhri.  
 Balbir Singh, Rao Bahadur Captain  
 Rao.  
 Balwant Singh, Sardar.  
 Bhagwant Singh, Rai.  
 Binda Saran, Rai Bahadur.  
 Chhotu Ram, The Honourable  
 Chaudhri Sir.  
 Dasaundha Singh, Sardar.  
 Faiz Muhammad, Shaikh.  
 Faqir Chand, Chaudhri.  
 Faqir Husain Khan, Chaudhri.  
 Farman Ali Khan, Subedar Major.  
 Fateh Jang Singh, 2nd Lieutenant  
 Bhai.  
 Fateh Khan, Raja.  
 Fateh Muhammad, Mian.  
 Fateh Sher Khan, Malik.  
 Fazl Ali, Khan Bahadur Nawab  
 Chaudhri.  
 Fazal Din, Khan Sahib Chaudhri.  
 Fazal Karim Bakhsh, Mian.  
 Gauba, Mr. K. L.  
 Ghazanfar Ali Khan, Raja.  
 Ghulam Rasul, Chaudhri.  
 Ghulam Samad, Khawaja.  
 Girdhari Dass, Mahant.  
 Gopal Das, Rai Sahib Lala.

Gopal Singh (American), Sardar.  
 Habib Ullah Khan, Malik.  
 Hans Raj, Bhagat.  
 Hari Chand, Rai.  
 Harnam Das, Lala.  
 Het Ram, Rai Sahib Chaudhri.  
 Indar Singh, Sardar.  
 Jagjit Singh Man, Sardar.  
 Jahan Ara Shah Nawaz, Mrs.  
 Jahangir Khan, Chaudhri.  
 Jalal-ud-Din Amber, Chaudhri.  
 Jugal Kishore, Chaudhri.  
 Karamat Ali, Shaikh.  
 Khizar Hayat Khan, Tiwana, The  
 Honourable Nawabzada Major.  
 Kishan Das, Seth.  
 Manohar Lal, The Honourable Mr.  
 Maqbool Mahmood, Mir.  
 Mubarik Ali Shah, Sayed.  
 Muhammad Akram Khan, Khan  
 Bahadur Raja.  
 Muhammad Ashraf, Chaudhri.  
 Muhammad Hassan Khan, Gur-  
 chani, Khan Bahadur Sardar.  
 Muhammad Hassan, Khan Bahadur  
 Makhdum Sayed.  
 Muhammad Hussain, Sardar.  
 Muhammad Hussain, Chaudhri.  
 Muhammad Saadat Ali Khan, Khan  
 Sahib Khan.  
 Muhammad Sarfaraz Khan, Raja.  
 Muhammad Wilayat Hussain  
 Jeelani, Makhdumzada Haji  
 Sayed.  
 Muhammad Yusuf Khan, Khan.  
 Mukand Lal Puri, Rai Bahadur Mr.

Mushtaq Ahmad Gurmani, Khan Bahadur Mian.	Riasat Ali, Khan Bahadur Chaudhri.
Muzaffar Ali Khan, Qizilbash, Sardar.	Ripudaman Singh, Thakar.
Muzaffar Khan, Khan Bahadur Nawab.	Santokh Singh, Sardar Sahib Sardar.
Narendra Nath, Diwan Bahadur Raja.	Shahadat Khan, Khan Sahib Rai.
Nasir-ud-Din, Chaudhri.	Shah Nawaz Khan, Nawab Khan.
Nasir-ud-Din Shah, Pir.	Sikander Hyat-Khan. The Honourable Major Sir.
Nasrullah Khan, Rana.	Sultan Mahmood Hotiana, Mian.
Naunihal Singh, Mann, Lieutenant Sardar.	Sumer Singh, Chaudhri.
Nawazish Ali Shah, Sayed.	Sundar Singh, Majithia. The Honourable Dr. Sir.
Pir Muhammad, Khan Sahib Chaudhri.	Suraj Mal, Chaudhri.
Prem Singh, Chaudhri.	Tara Singh, Sardar.
Ram Sarup, Chaudhri.	Tikka Ram, Chaudhri.
Ranpat, Chaudhri.	Ujjal Singh, Sardar Sahib Sardar.
	Wali Muhammad Sayyal Hiraj, Sardar.

**Mr. Speaker :** The question is—

That rule 39 be adopted.

*The motion was carried.*

#### *Rules 40 to 42.*

**Mr. Speaker :** The question is—

That rules 40 to 42 be adopted.

*The motion was carried.*

#### *Rule 43.*

**Munshi Hari Lal** (South-Western Towns, General, Urban): I beg to move—

That in lines 10 and 12, for the word 'forty' the words 'twenty-five' be substituted.

I submit, Sir, that the number 40 is much too large for the purpose of leave being granted to move an adjournment motion. In this connection I may draw the attention of the House to the procedure in the House of Commons. There the number of members is 667 and the number fixed for the purpose of an adjournment motion is only 40. Again if you look into the history of the House of Commons so far as this particular point is concerned, you will find that up till the year 1882 there was no such restriction and it was only afterwards that it was imposed. In the early stages of our constitutional career, therefore, the number should be such that it should be much easier for us to move an adjournment motion. If the idea or rather the misunderstanding in the minds of the honourable members opposite is that this right will be abused, my submission is that there are so many limitations and restrictions imposed on the moving of an adjournment motion that in future, occasion may never arise for such a motion being discussed in the House. With these words I move this amendment.

**Mr. Speaker :** Rule under consideration, amendment moved—

That in lines 10 and 12, for the word "forty" the words "twenty-five" be substituted.

**Malik Barkat Ali** (Eastern Towns, Muhammadan, Urban) : I respectfully submit, Sir, that apart from the objection that 40 is too large a number, there is another very serious constitutional objection to the fixing of 40 as the necessary strength for moving an adjournment motion. I draw your attention to section 66, sub-section (3) of the Government of India Act.

**Mr. Speaker :** This point was raised, discussed and decided this morning.

**Malik Barkat Ali :** I will not discuss that point, Sir, if it has already been discussed. My submission is this that 40 is too large a fetter on the liberty of an individual member to move a motion for adjournment. We have already in rule 40 accepted a very serious restriction, viz., that besides a motion amounting to a definite matter of urgent public importance, consent of the Speaker shall be necessary. Nowhere else is the consent of the Speaker, in addition to the judgment of the Speaker—it is for him to decide whether a matter is definite and of urgent importance, or not—needed. Once the Speaker comes to a conclusion that a matter is of definite urgent public importance, the question is then left to the House and it is the House which decides to grant leave or to withhold it. Having accepted that very serious restriction, I respectfully submit that 40 is a very large number and I would appeal to the Premier that in accordance with universally accepted parliamentary practice all over the world, he should accept this very reasonable demand from this part of the House. If in the House of Commons which is four times as big as this House, they have fixed the number at 40, surely the fixing of that very number here in a House of only 175 is much too large.

**Sardar Hari Singh** (Kangra and Northern Hoshiarpur, Sikh, Rural) : Sir, I submit that rule 43, as it stands, is not a rule ; it would be a misnomer to call it a rule. I would rather call it a gag or an ordinance which should be re-phrased like this. 'That there shall be no adjournment motions in this House as long as the Unionist Government lasts'.

May I draw your attention to the amendment which I have moved and which has been taken from the standing orders of the House of Commons with the only difference that I have substituted 30 instead of 40 as in the House of Commons ? In the interim rules we have got 'if not less than 30 members rise accordingly.....'; I fail to understand the logic in raising this number to 40.

Sir, in this connection I will give a brief history on this subject of the House of Commons. It was in the year 1882 that standing order No. 10 was passed in the House of Commons. Mr. Gladstone, who was Premier and Leader of the House at that time, while introducing this standing order used the following words :—

"Government did not wish to make the number too high or too low ; but they thought that the number which was competent to transact the business of the House namely, 40, would be a reasonable number. They were not absolutely wedded to that number and if there were any desire on the part of the House to reduce it, they would not object even if it were reduced to the number of 20, for which there is a precedent in the number required to call for a division in urgency."

[S. Hari Singh.]

I quote another member of the House of Commons, Mr. Thomas Collins, who while speaking on that motion said—

“He was glad Government had taken 40 as the number. It was better to have a guiding principle and the principle of the amendment was that 40 was a quorum of the House.”

If you study the standing orders of the Canadian Parliament you will find that there too the number requisite for moving an adjournment motion of the House is the same which is fixed for the quorum of the House, i.e. 20. I have only to appeal to the honourable members opposite just to think over the matter, ponder over it and be reasonable. Wherever responsible government is working in the British Commonwealth of Nations the number required for an adjournment motion is the quorum of the House and so should be the case here. That is my appeal and if they are turning down the appeal, there will be no greater occasion for us to charge them with being unreasonable.

**Premier :** My honourable friend opposite has made a lengthy speech with regard to the procedure in Parliament. As a matter of fact his memory must be very short because he has forgotten that I have already given an undertaking that whenever there is a question of urgent public importance, of national importance—mind you not that some Musallis have looted a few maunds of rice (*Lala Duni Chand* : Thousands of bags of rice) which is not of national and public importance—and the Leader of the Opposition has asked me to accommodate him with regard to time for that important business, I have always tried to accommodate him. That is the convention we want to set up. It is not a different thing. Honourable members opposite are more or less getting into the habit of moving adjournment motions on everything. I do not think that that is a proper procedure. The proper convention is that you should move an adjournment motion on very outstanding matters of public importance—not of minor importance. If that convention is adopted, my honourable friend's difficulty would disappear because if an adjournment motion is not admitted, the Leader of the Opposition can always come to me and say, “This is a matter of grave and high public importance and, therefore, I should like to have some time” and I can assure my honourable friends opposite that if I am satisfied that the matter is of real national and public importance, I shall always try to accommodate him as I have tried to do hitherto. That is the convention we want to set up. It is no use trying to put various figures. I will be quite prepared to accept on behalf of the Government an amendment which stands in the name of two honourable members. (Sardar Muzaffar Ali Khan Qazilbash and Khawaja Ghulam Samad) where they have suggested that the number be fixed at thirty-five. If that amendment is moved, I believe that all sections of the House will be prepared to accept it and we need waste no more time of the House on this particular rule.

**Mr. Speaker :** I am going to put to the House the motion—

That in lines 10 and 12, for the word “forty” the word “thirty-five” be substituted.

It has been suggested that if “thirty-five” is acceptable to the Opposition the other side would also accept and if that is the case then amendments Nos. 81 and 82 of Sardar Muzaffar Ali Khan Qazilbash and Khawaja Ghulam Samad will have to be moved.

**Dr. Gopi Chand Bhargava :** I want to know whether we shall be allowed to discuss the amendment—

That for the word 'forty' the word 'thirty' be substituted.  
before you permit the next amendment to be moved.

**Mr. Speaker :** The motion for the substitution of the words "thirty-five" will be put. Discussion is the same on the motion or the amendment recommending twenty-five, thirty, thirty-one or thirty-five. But each amendment will be put to the House separately if their respective movers so wish. Does Munshi Hari Lal wish to have his amendment put to the House or is he willing to withdraw it?

**Premier :** "I think he had better withdraw and save us at least one minute.

**Munshi Hari Lal :** I beg leave to withdraw the amendment regarding the substitution of the words "twenty-five".

*The motion was by leave withdrawn.*

**Dr. Gopi Chand Bhargava :** Sir, I beg to move—

That in line 10, for the word "forty" the word "thirty" be substituted.

**Mr. Speaker :** The honourable member will not make a speech.

**Dr. Gopi Chand Bhargava :** I have only moved my amendment.

**Mr. Speaker :** Does the honourable member wish it to be put to the vote of the House?

**Dr. Gopi Chand Bhargava :** I submit that I have moved my amendment and want it to be put to the vote of the House simply for the purpose of showing that we want the number 30 and not 35, and to show that the majority does not accept even this.

**Mr. Speaker :** May I point out that the honourable member's amendment though not entirely out of order, is out of order to a certain extent. The word 40 occurs both in lines 10 and 12. Supposing the first motion is carried it will make the whole clause absurd. The honourable member's amendment relates only to one line.

**Dr. Gopi Chand Bhargava :** On other occasions you were pleased to make consequential changes in the rules whenever such an occasion arose.

**Mr. Speaker :** The question is—

That in line 10 for the word "forty" the word "thirty" be substituted.

*The Assembly divided: Ayes, 37; Noes, 83.*

# AYES.

Abdul Aziz, Mian.  
Ajit Singh, Sardar.  
Baldev Singh, Sardar.  
Barkat Ali, Malik.  
Bhagat Ram Choda, Lala.  
Bhagat Ram Sharma, Pandit.  
Bhim Sen Sachar, Lala.  
Chaman Lal, Diwan.

Chanan Singh, Sardar.  
Deshbandhu Gupta, Lala.  
Duni Chand, Lala.  
Gauga, Mr. K. L.  
Gokul Chand Narang, Dr. Sir.  
Gopi Chand Bhargava, Dr.  
Hari Lal, Munshi.  
Hari Singh, Sardar.

Harjab Singh, Sardar.  
Kabul Singh, Master.  
Kapoor Singh, Sardar.  
Kartar Singh, Chaudhri.  
Kartar Singh, Sardar.  
Kishan Singh, Sardar.  
Lal Singh, Sardar.  
Muhammad Abdul Rahman Khan,  
Chaudhri.  
Muhammad Iftikhar-ud-Din, Mian.  
Mula Singh, Sardar.

Muni Lal Kalia, Pandit.  
Partab Singh, Sardar.  
Prem Singh, Mahant.  
Raghubir Kaur, Shrimati.  
Rur Singh, Sardar.  
Saif-ud-Din Kitchlew, Dr.  
Sampuran Singh, Sardar.  
Sant Ram Seth, Dr.  
Shri Ram Sharma, Pandit.  
Sohan Singh Josh, Sardar.  
Sudarshan, Lala.

#### NOES.

Abdul Hamid Khan, Sufi.  
Abdul Haye, The Honourable Mian.  
Abdul Rab, Mian.  
Abdul Rahim, Chaudhri (Gurdas-  
pur).  
Abdul Rahim, Chaudhri (Gurgaon).  
Ahmad Yar Khan Daulatana, Khan  
Bahadur Mian.  
Ahmad Yar Khan, Chaudhri.  
Amjad Ali Shah, Sayed.  
Anant Ram, Chaudhri.  
Ashiq Hussain, Captain.  
Balwant Singh, Sardar.  
Bhagwant Singh, Rai.  
Binda Saran, Rai Bahadur.  
Chhotu Ram, The Honourable  
Chaudhri Sir.  
Dasaundha Singh, Sardar.  
Faiz Muhammad, Shaikh.  
Faqir Chand, Chaudhri.  
Faqir Hussain Khan, Chaudhri.  
Farman Ali Khan, Subedar Major.  
Fateh Jang Singh, 2nd Lt. Bhai.  
Fateh Khan, Raja.  
Fateh Mohammad, Mian.  
Fazl Ali, Khan Bahadur Nawab  
Chaudhri.  
Fazal Din, Khan Sahib Chaudhri.  
Fazal Karim Bakhsh, Mian.  
Ghazanfar Ali Khan, Raja.  
Ghulam Mohy-ud-Din, Maulvi.  
Ghulam Samad, Khawaja.  
Girdhari Das, Mahant.  
Gopal Das, Rai Sahib Lala.  
Gopal Singh (American), Sardar.  
Habib Ullah Khan, Malik.  
Hans Raj, Bhagat.

Hari Chand, Rai.  
Harnam Das, Lala.  
Het Ram, Rai Sahib Chaudhri.  
Indar Singh, Sardar.  
Jagjit Singh Man, Sardar.  
Jagjit Singh Bedi, Tikka.  
Jahan Ara Shah Nawaz, Mrs.  
Jalal-ud-Din Amber, Chaudhri.  
Karamat Ali, Shaikh.  
Khizar Hayat Khan Tiwana, The  
Honourable Nawabzada Major.  
Kishan Dass, Seth.  
Manohar Lal, The Honourable Mr.  
Maqbool Mahmood, Mir.  
Mubarik Ali Shah, Sayed.  
Muhammad Akram Khan, Khan  
Bahadur Raja.  
Muhammad Ashraf, Chaudhri.  
Muhammad Hassan Khan Gurehani,  
Khan Bahadur Sardar.  
Muhammad Hassan, Khan Bahadur  
Makhdum Sayed.  
Muhammad Hussain, Sardar.  
Muhammad Hussain, Chaudhri.  
Muhammad Saadat Ali Khan, Khan  
Sahib Khan.  
Muhammad Sarfraz Khan, Chaudhri.  
Muhammad Sarfraz Khan, Raja.  
Muhammad Yasin Khan, Chaudhri.  
Muhammad Yusuf Khan, Khan.  
Mukand Lal Puri, Rai Bahadur Mr.  
Mushtaq Ahmad Gurmani, Khan  
Bahadur Mian.  
Muzaffar Ali Khan Qizilbash,  
Sardar.  
Muzaffar Khan, Khan Bahadur  
Nawab.

Narendra Nath, Diwan Bahadur Raja.  
 Nasir-ud-Din, Chaudhri.  
 Nasrullah Khan, Rana.  
 Naunihal Singh Mann, Lieutenant Sardar.  
 Nawazish Ali Shah, Sayed.  
 Pir Muhammad, Khan Sahib Chaudhri.  
 Prem Singh, Chaudhri.  
 Pritam Singh Siddhu, Sardar.  
 Ranpat, Chaudhri.  
 Ripudaman Singh, Thakur.  
 Santokh Singh, Sardar Sahib Sardar.

Shah Nawaz Khan, Nawab Khan.  
 Sham Lal, Rai Bahadur Chaudhri.  
 Sikander Hyat-Khan, The Honourable Major Sir.  
 Sultan Mahmood Hotiana, Mian.  
 Sundar Singh Majithia, The Honourable Dr. Sir.  
 Suraj Mal, Chaudhri.  
 Tara Singh, Sardar.  
 Tikka Ram, Chaudhri.  
 Ujjal Singh, Sardar Sahib Sardar.  
 Wali Muhammad Sayyal Hiraj, Sardar.

**Sardar Muzaffar Ali Khan Qizilbash :** Sir, I beg to move—

That in lines 10 and 12 for the word "forty" the word "thirty-five" be substituted.

*The motion was carried.*

**Sardar Lal Singh** (Ludhiana Central, Sikh. Rural) : Sir, I beg to move—

That the following proviso be added—

"Provided that in any matters affecting the rights of the minority communities, on which question the Speaker's decision shall be final, leave may also be given if 66 per cent. of the total strength of the members of that community rise in their places".

This is just to meet certain contingencies, when a certain minority community may be at a disadvantage and not be able to move an adjournment motion without the help of others. This is only permissive and an additional or alternate provision. This is quite reasonable. For example, the number of seats of the Sikhs is only 38 and allowing for a Sikh Minister and a Sikh Parliamentary Secretary, and one or two absentee members, their number may not come even to 30 and if they want to move an adjournment motion they may not be able to do so unless my suggestion is adopted. This is only to meet an exigency. The Honourable Premier has given us a message of good will and I may say in return that we do expect that he will accept our message of good will and will not move an adjournment motion simply for the purpose of moving an adjournment motion. Let me ask him to accept this amendment, so that the privileges of this House may be widened in respect of the minority communities.

**Mr. Speaker :** Rule under consideration, amendment moved is—

That the following proviso be added—

"Provided that in any matters affecting the rights of the minority communities, on which question the Speaker's decision shall be final, leave may also be given if 66 per cent. of the total strength of the members of that community rise in their places".

**Premier :** I am afraid it is impossible for me to accept that amendment for the simple reason that it tends to encourage communalism which I want to stamp out with all the possible force and emphasis that I can command. I am afraid that if this principle of communalism is admitted now, it will be a thin edge of the wedge and I do not know where we will

[Premier.]

find ourselves. We must see what is happening in the other provinces where it is a grave constitutional question of far reaching importance. There you know objection is being taken to the appointment of certain ministers from the minority and if this principle is accepted, you will be cutting at the very root of the Government of India Act. I therefore very respectfully suggest to my honourable friend that he should not press his motion.

**Sardar Lal Singh :** I am perfectly willing to give the Honourable Premier the equity if he comes with clean hands and does not stand upon communalism in this province.

**Mr. Speaker :** The question is—

That the following proviso be added—

“ Provided that in any matters affecting the rights of the minority communities, on which question the Speaker's decision shall be final, leave may also be given if 66 per cent. of the total strength of the members of that community rise in their places.”

*The motion was lost.*

**Mr. Speaker :** The question is—

That rule 43 as amended be adopted.

*The motion was carried.*

#### *Rule 44.*

**Sardar Dasaundha Singh** (Deputy Speaker) : Sir, I move—

That for rule 44, the following be substituted :—

“ If the leave is granted the motion will be taken on the same day. If it is a Friday, it shall be taken up at 5 P.M. ; and if it is any other day, at 4.30 P.M. : Provided that if the business on the list for the day is concluded earlier, the motion shall be taken up at the conclusion of such business”.

This is only a consequential amendment.

**Mr. Speaker :** Motion moved is—

That for rule 44, the following be substituted :—

“ If the leave is granted the motion will be taken on the same day. If it is a Friday, it shall be taken up at 5 P.M. ; and if it is any other day, at 4.30 P.M. : Provided that if the business on the list for the day is concluded earlier, the motion shall be taken up at the conclusion of such business”.

**Diwan Chaman Lall** (East Punjab, Non-Union Labour) : Mr. Speaker, I do not see any reason why this business should not be taken up after the conclusion of the day's business, and why the ordinary day's business should be interrupted. For instance we have passed a rule that the day's business shall conclude at 6.30 except on Friday when it will conclude at 7 P.M. The adjournment motion can be taken up at 6.30 or 7 P.M. also. Otherwise we will be taking away the normal time of the House for an extraordinary business which can be taken up after the conclusion of the normal day's business.

**Mian Muhammad Iftikhar-ud-Din** (Kasur, Muhammadan, Rural) :

I beg to move the following amendment :—

4 P.M.

That the following be substituted for rule 44 :—

“ If the leave is granted, the motion will be taken on the same day. If it is a Friday, it shall be taken up at 7 P.M. ; and if it is any other day, at 6-30 P.M. : Provided that if the business on the list for the day is concluded earlier, the motion shall be taken up at the conclusion of such business”.

Sir, I particularly draw the attention of the Leader of the House, who has always been pressing the point that the Opposition members are inclined at times to waste the time of the House. Now, Sir, here is an amendment in which I propose that whenever a motion for adjournment is brought before the House, it should be discussed at 6-30 P.M. on ordinary days and at 7 P.M. on Fridays. If this amendment is carried, I think there will be no waste of time at all. I hope the Honourable Premier will agree with me.

**Premier :** I entirely agree with my honourable friend opposite.

**Sardar Dasaundha Singh** (Deputy Speaker) : Sir, I accept the amendment of the honourable member and beg leave to withdraw mine.

*The motion was by leave withdrawn.*

**Mr. Speaker :** Rule under consideration, amendment moved is—

That for rule 44, the following be substituted :—

“ If the leave is granted, the motion will be taken on the same day. If it is a Friday, it shall be taken up at 7 P.M. ; and if it is any other day, at 6-30 P.M. : Provided that if the business on the list for the day is concluded earlier, the motion shall be taken up at the conclusion of such business. ”

**Rai Bahadur Mr. Mukand Lal Puri** (Rawalpindi Division, General, Rural) : Sir, after all, an adjournment motion is to discuss a matter of importance and it is necessary that if the House is going to get the privilege of discussing a matter of importance, it ought to devote its serious attention to it. It is improper that an important matter like that should be relegated to the lag end of the day, when the members are tired after the whole day's sitting and are anxious to get away. Therefore, if that right of the adjournment motion is to be of any effective help, it is necessary that it should be, at any rate, started during the working hours which are usually allotted for legislative business. If the House has been sitting, as it usually does, from 2 to 6-30 P.M. and continues sitting for another 2 hours, I think, it cannot devote its serious attention to a matter of public importance. Therefore, I strongly oppose the time which has been suggested by the Opposition. Of course, it would be acceptable to the Government members. If it is taken at 6-30 or 7 P.M., it will be an adjournment motion literally, because every member would be anxious to get away and they cannot devote their serious attention to that matter. It can be discussed the next day at any time, when the members come fresh and they can devote their time and attention to that matter. I have no desire to curtail the sittings, but I do not see any justification in putting off the adjournment motions until 6-30 P.M. During the last 7 years, the practice has already been that such motions had been taken up during the last two hours of the sitting of the House. That has not worked injustice nor has it resulted in interfering with the ordinary business. If the Congress is anxious that members of this House should devote their attention to public affairs I say, they should not come to the House, in the fashion in which they come and just start to

[R. B. Mukand Lal Puri.]

deal with matters which can be put before us in a mature fashion. If they really want to do public service, they should devote only 4 hours to the work here and devote 2 or 3 hours every day at home. That is the way in which members should be asked to co-operate and not insist, like school boys, on sitting here for 8 hours, as if the time spent here is the only service which the members can do to the province.

**Premier** (The Honourable Major Sir Sikander Hyat-Khan) : Sir, I am afraid, the suggestion made by my honourable friend is not likely to appeal to the minds of my lawyer friends in this House, if they really mean business, for the simple reason that they are not free in the morning and consequently it will be more convenient for them to sit in the evening. But if they think that it would be more convenient for them to sit from 11 to 1, I am quite prepared to accept that suggestion. But that would mean that the adjournment motions about very important matters will have to be postponed till the next day. If that suits the honourable members I have no objection to it. The real object of my honourable friend opposite, with which I entirely agree, is that we should not curtail the ordinary time of the House and waste it on this extraordinary business. May I remind the honourable members that in the House of Commons, they sit from 8 to 11 normally and it happens on several occasions that they have all night sittings for several days on end. Therefore, that argument is not likely to appeal to the House. If my honourable friends, who belong to the legal profession, are willing to sit from 11 to 1, I am perfectly willing to accept that proposal. But I think evening will be more convenient.

**Rai Bahadur Mr. Mukand Lal Puri** : I never said that I was in favour of having adjournment motions from 11 to 1.

**Diwan Chaman Lall** : It is very refreshing to discover a revolt on the side of the Unionist Party. An important member of the Unionist Party has fully revolted against the decision of the Leader of his Party. I hope that it is not going to end there and that the revolt will continue. I do find that my honourable friend who wanted a change in the timings of the adjournment motions is blowing hot and cold at the same time. I think, if I am not mistaken, that he was not in favour of sitting in the mornings at 11 A.M., because being a lawyer he had to attend to his business in the court. Now he says that we should not sit here for more than four or four and a half hours, because it would be fatiguing to us. He says that intellectual workers are easily fatigued by 4½ hours work in the Assembly. But he does not say that it was on his own initiative, on his own original proposal that we do not now sit in the mornings, because he wanted to fatigue himself in the law courts attending to his cases and then to come here according to him with a fresh mind to deal with the country's affairs. (Laughter). I remember the honourable member used to put in 18 hours a day studying for the Indian Civil Service. It is a magnificently irresponsible gesture for a gentleman who has put in 18 hours hard work every day to say that the House should not sit for more than 4½ hours. He must look at these questions more seriously than he has been doing. Surely he casts an aspersion on honourable members on this side of the House as well as on the other side, by saying that we are intellectually incapable of applying

our minds for more than 4½ hours. My friend ought to have realised even at the beginning that membership of the Assembly is a wholetime job requiring his attention to the service of the country (*Hear, hear*). There is no question of any honourable member evading his duty except for special reasons which also must be connected with the affairs of the State. For the good of the country and for the good of the nation we are bound to devote our entire time and there should be no excuse for any member to restrict his activity only to 4 or 4½ hours to the affairs of State. The best thing for my honourable friend would be to vacate his seat and allow some other gentleman to take his place who is prepared to devote his whole time to the affairs of the country. (*Cheers*).

**Mr. Speaker :** The question is—

That for rule 44, the following be substituted :—

“ If the leave is granted, the motion will be taken on the same day. If it is a Friday, it shall be taken up at 7 P.M.; and if it is any other day, at 6-30 P.M.: Provided that if the business on the list for the day is concluded earlier, the motion shall be taken up at the conclusion of such business.”

*The motion was carried.*

#### Rule 45.

**Mir Maqbool Mahmood** (Parliamentary Secretary) : I beg to move—

That at the end, the following sub-clause be added :—

“(vi) the motion must not relate to a matter as regards which notice of a resolution could have been given 15 days before the date appointed for the session.”

This amendment does not call for any elaborate speech. I have three specific arguments in support of the amendment. Firstly, the tendency has been for members to table adjournment motions on matters which have taken place two months ago and on which enquiry is refused to the persons concerned so that there may be these sinister adjournment motions. My purpose here is to restrict the adjournment motions only to such matters on which it is worth wasting the time of the House. Secondly, you will find that in the last year there have been six adjournment motions in Bengal Assembly, six in Bombay, either admitted or refused, one in Bihar, two in the Central Provinces, one in Madras and two in the Frontier Province, three in Sind, five in the House of Commons and 13 in this blessed Assembly of the Punjab. (*An honourable member :* How many were discussed?) I have not figures in that respect. But I am sure that more adjournment motions were discussed in this House than in any other legislature. It may be said, suppose an event of importance occurs just 16 or 17 days before the meeting of the Assembly, notice of a resolution regarding this matter is given, but it does not secure a place in the ballot, what is to happen to that subject? I may remind the House that the Honourable Leader of the House has given an undertaking to the Leader of the Opposition that if the latter asks for the allotment of time for the discussion of such a matter he shall be given time. Thirdly, I may invite the attention of honourable members opposite that in the Congress province of Bombay the Drafting Rules Committee has provided 36 as the number who must support an adjournment motion before leave is granted to move it whereas we have fixed the number at 85. (*An honourable member :* What is the size of the Bombay Legislative Assembly?) Same as ours, that is 175.

**Mr. Speaker :** Rule under consideration, amendment moved—

That at the end, the following sub-clause be added—

“(iii) the motion must not relate to a matter as regards which notice of a resolution could have been given 15 days before the date appointed for the session.”

**Lala Duni Chand** (Ambala and Simla, General, Rural) : It appears that Mir Maqbool Mahmood is an adept in the art of undoing things which have been done once. Whatever concessions have been given in regard to adjournment motions he wants to take away. This, to say the least, is most unfair. Occasions for adjournment motions arise suddenly from time to time. It is necessary that whenever any such situation arises, any member interested in the matter should have a right to move an adjournment motion at once. As regards the alternative remedy that he provides, I submit that it is very cruel. He must know that so far as moving of resolutions is concerned, it carries no importance. I should say that practically the right does not exist. Out of hundreds of resolutions of which notices are given, not more than half a dozen are actually moved in the Assembly in a year. With these words I strongly oppose the amendment.

**Pandit Muni Lal Kalia** (Ludhiana and Ferozepore, General, Rural) : The principle having been accepted by the other side that the House is entitled to discuss a certain matter of urgent public importance, the new clause which is moved nullifies what we have already decided, namely, that the House has got a right to discuss a matter which in their opinion is a definite matter of public importance. If this rule is adopted it would mean that a motion which relates to a matter which may be a very important one, but which could be given notice of in the form of a resolution should only come before the House in that form. As the honourable members are aware sometimes the notice of a resolution goes on from session to session or, as my learned friend has pointed out, it may even go on till the next election and yet may not survive the ballot. It will mean that a very important matter may not be brought to the notice of the House at all. One thing more and that is this. It so happens sometimes—as it did actually happen this time—that there is a long interval between one session and the other so that matters which took place during the period when the Assembly is not in session—they number more than a dozen sometimes—can only be brought to the notice of the Assembly by means of resolutions which means that there is very little chance of all those matters being brought to the notice of the House.

There is another aspect of the matter which requires some attention. The new clause, as it stands, is in contradiction to the rule which we have already adopted. As a matter of fact it does not relate to the subject to which rules Nos. 41 to 43 relate and should be ruled out. I will show how. If the matter is such on which notice of a resolution could be given then it does not at all deal with a matter that can be discussed in the form of an adjournment motion. In that case it will be a resolution and as such it can be taken up at any time the business of the House permits—of course if it survives the ballot. So, it does not remain a matter which can be strictly called a matter on which an adjournment motion may be moved. So this new rule relates to resolutions and not to adjournment motions and should be ruled out of order.

**Malik Barkat Ali** (Eastern Towns, Muhammadan, Urban): Sir, the right to move a motion for adjournment has been hedged round already with so many restrictions that the acceptance of this amendment would virtually destroy that right. One of the members has been pleased to remark that Congress Government in some provinces has already incorporated a rule of this kind in the rules of business of their Legislative Assembly. But this is really no ground, no argument, for us to accept such an amendment.

**Premier:** Those remarks were meant for Congress benches and not for you.

**Malik Barkat Ali:** Taking into consideration the restrictions that have already been placed on this very important right of members to interrupt the business of the House it would not be fair to impose further restrictions of this kind.

I will draw your attention presently to another aspect of the matter, that is, that rules of procedure must be elastic. Already a very stringent condition exists, viz., that a motion of adjournment can only be moved if it relates to a definite matter of urgent public importance and the judge of urgency is the Speaker. Let the House content itself with that. If the matter is not urgent or the matter is one on which notice could have been given earlier surely the Speaker can judge and rule out the motion. So it is much better to have elastic rules than to have rigid ones and the rigidity of this particular rule is so great as to virtually nullify the right that has been conceded to us, namely, the right to move motions for the adjournment of the business of the House.

**Mian Abdul Aziz** (Outer Lahore, Muhammadan, Urban): I think, Sir, that the restrictions that are imposed in this rule are already more than sufficient. If it is the intention of the House and especially of the majority party to guillotine each and every proposal that is brought forward from this part of the House, they are welcome to have their own way. We have already been robbed of our right to put question as freely as we used to and the number has been limited to three. Now an effort is being made to impose restrictions on matters of urgent public importance being brought before the House. You must have noticed, Sir, that in these rules so far as they relate to adjournment motions many restrictions have been imposed. I will quote some of them :—

- “ The motion must relate to a matter of urgent public importance ;
- (2) not more than one such motion shall be made at the same sitting ;
- (3) it must relate to a single specific matter of recent occurrence.”

There are three or four more such conditions. These restrictions are more than sufficient and I fail to understand what is the object of placing any further restrictions. We know what is generally the fate of resolutions that we give notice of in this Assembly. Even if a resolution from this side secures the third place, effort will be made from the other side to take away the whole day in discussing the first two resolutions if they come from the other side. (*Hear, hear from the Opposition benches.*) It is nothing new, we had an experience of this kind only a few days back when a resolution relating to section 61 of Civil Procedure Code was under discussion. That resolution was supported from all parts of the House and yet the whole day was taken up in discussing that resolution.

**Premier :** Is the honourable member in order in referring to that resolution ?

**Mr. Speaker :** Will the honourable member please confine his speech to the motion now before the House ?

**Mian Abdul Aziz :** I am perfectly justified in giving reasons in support of my contention. When the members of the Ministerial Party do not want a matter to be brought before the House they manage to prevent it.

I submit that I cannot understand the meaning of this amendment. It says, " the motion must not relate to a matter as regards which notice of a resolution could have been given 15 days before the date appointed for the session." By adopting this rule it would mean that it should take the form of a resolution and not of an adjournment motion. It will be shutting out the door for an emergent matter in this way and not to allow any party—whether it happens to be the Government party or the opposite party—to move any adjournment motion even if it is so very necessary. It is all very well to say that this rule has been adopted in some of the Congress provinces. It is all very well to quote the Congress decision whenever it suits their purpose, but where it does not —.

**Diwan Chaman Lall :** This rule is not to be found in any of the Congress provinces.

**Mian Abdul Aziz :** I understood the honourable member opposite to say that even the Congress provinces were going to adopt or had adopted that rule.

**Lala Bhim Sen Sachar :** The Opposition has to be very alert.

**Mian Abdul Aziz :** Whether it was adopted by the other provinces or not, we are to be guided according to the circumstances of our own province (*Hear, hear*). If we are to follow other provinces then we must follow them in all respects not only in those which suit our purpose but those which do not suit our purpose (*Hear, hear*). I would submit that by the adoption of this amendment the real object of the whole of this rule will be entirely lost. I agree with the remarks which have been made by two of my honourable friends, who spoke before me, that this amendment should certainly not be adopted. I would further add, that whatever might be the result or fate of this motion, we know that this amendment has already been considered in the party which is in majority and we have no hope of winning—we will lose it—but I say that though on questions of principle they are certainly entitled to adopt any course, they should leave their members to have their own sense of responsibility in other matters leaving apart their principles (*applause*). I know that it is a very difficult matter. Even if we put forward any good resolution or any good motion, we know what will be the fate of it, but still I would appeal to the Honourable Premier and the ministerial benches that wherever it may be necessary, they might, according to their principle, guide their own party that they should adopt such and such a rule, but in matters of procedure where there are matters which can be discussed and by the discussion of which perhaps some of the members of the ministerial party can be convinced, they should not be tied and pinned down.

**Premier :** Is the honourable member relevant ?

**Mian Abdul Aziz :** Certainly I am. I am prepared to prove that I am to the point (*laughter*). Why do you raise an objection whether a member is to the point or not? I am submitting that if it has already been decided by the majority party that it should be adopted, we know what will be the fate of it.

**Mr. Speaker :** The honourable member is requested to discuss the merits of the motion.

**Mian Abdul Aziz :** I will obey your ruling whatever it may be. I would certainly oppose this motion and I think it will be creating a very great hardship if this sub-clause is added to the already existing six sub-clauses.

**Dr. Sir Gokul Chand Narang** (West Lahore Division, General, Rural) : I had no intention to speak at all and that is proved by my silence during the past several days that this Assembly has been in session, but there is a limit to provocation (*hear, hear*). I had been withstanding the provocation offered by the representatives of the Government party on various occasions, but I must say that the provocation to-day contained in this amendment is too much even for me, and my friends on this side would misunderstand me if I kept quiet on this amendment. They in fact goaded me to get up and say a few words just to show that I am entirely at one with my friends. I am strongly opposed to this amendment moved by one of the parliamentary secretaries. I know speeches do not count in this House and eloquence, whether from this side or that side, is wasted. So far as one can judge from the results of eloquence which is poured out in torrents on that side it is almost wasted, so that it is not necessary to make any long speech. All that is necessary has really been said and I got up to associate myself with my friends who have opposed this amendment. I think the gentlemen who are supporting the ministry at the present moment should not be misled into the belief that this state of things will always continue as it is to-day. In fact when I find these gentlemen getting up and voting for everything that comes from a particular part of the House, it reminds me of an Urdu verse which they will do well to remember. It is—

نہ بھول اے آرسی مگر یار کو تجھ سے محبت ہے  
نہیں ہے اعتبار اسکا یہ منہ دیکھ کی اُلفت ہے

**Sardar Hari Singh** (Kangra and Northern Hoshiarpur, Sikh, Rural) : Mr. Speaker, on reading this amendment, I must confess that I feel great indignation and therefore I must offer this amendment the most vehement opposition that I possibly can. The mover of this amendment has quoted certain instances of adjournment motions in other provinces and in the House of Commons. The analogy, *viz.*, the conditions prevailing in England, is quite misleading but at the same time I may remind him that in the House of Commons there are at least on the average four adjournment motions every session and throughout the course of this year we have had no more than four adjournment motions in all. He has said that there have been thirty adjournment motions in our House but in reality only four adjournment motions have been discussed on the floor of this House. My wonder is not that there are so many adjournment motions; my wonder is that there are so few adjournment motions on the floor of this House because we know it

[ S. Hari Singh. ]

to our shame and disgrace that the suppression of the civil liberties of the poor people of this province is going on daily in the villages and I can quote instance upon instance, happening upon happening and case after case of a kind that would have any day driven the mightiest ministry in England into the wilderness. Look at police excesses at Sahungra and Katani. If that had happened in England, the mightiest cabinet would have been sent into the wilderness. I have before me the draft rules of the North-West Frontier Province, and the draft rules of the non-Congress province of Sindh. I do not find any provision like this in those rules. If this amendment is accepted, I should then say that this will be the cruelest tyranny perpetrated by the majority on this side of the House. With these words I most strongly oppose this amendment.

**Khan Bahadur Mian Mushtaq Ahmad Gurmani** (Parliamentary Private Secretary) (Urdu): Sir, I did not intend to participate in the debate to-day, but the speech made and the verse quoted by my honourable friend, Dr. Sir Gokul Chand, Narang, has induced me to say a few words in favour of the amendment under discussion. The learned Doctor remarked that the amendment tabled by my honourable friend, Mir Maqbool Mahmood, has literally administered poison to the already unwholesome atmosphere of the House and that matters have come to such a pass that he cannot bear to see the so-called injustice done to the Opposition party by the Government benches. It appears from his remarks that he is out to check this poison from spreading further. My respectful submission is that the amendment under discussion is quite an ordinary one and there is nothing peculiar about it. It is quite harmless. I, therefore, submit, that my honourable friends on the opposite benches should not attach any particular importance to it. The sole object of moving an adjournment motion is that a matter of urgent public importance aiming at the welfare of the masses may be brought under discussion and that by so doing every possible effort should be made to redress the grievances of the public. The object of the proposed amendment is that no adjournment motion should be made in respect of matters which are not of recent occurrence and which have been kept secret for 2 or 3 months in order to make use of them as a material for adjournment motions in the next session of the Assembly. If we were to review our past experience we are sure to come to the conclusion that the usage of secret matters for moving adjournment motions has never served any good purpose.

Sir, the sole object of moving adjournment motions is this that if an honourable member does not find an opportunity of discussing some highly important matters in the form of a resolution, he may do so by moving an adjournment motion. My respectful submission to the honourable members of this august assembly is this that they should not oppose this useful amendment, the object of which is to save the precious time of the House from being wasted on matters which are not of recent occurrence and which took place some months ago. This amendment provides that only those important occurrences which took place within a period of 15 days before the commencement of a session of the Assembly may be allowed to be discussed in the form of adjournment motions. This amendment is sure to create a healthy atmosphere in the House. The honourable members on

the opposite benches should not be afraid of it. It is quite an ordinary amendment and they should not attach much importance to it.

And so far as the discussion on highly important matters is concerned, I invite the attention of the House to the assurance already given by the Honourable Premier to the effect that the Government is prepared to provide facilities to the honourable Leader of the Opposition for raising discussion on such matters even on days allotted for official business.

With these remarks, Sir, I whole-heartedly support the amendment moved by my honourable friend Mir Maqbool Mahmood.

**Sardar Lal Singh :** Sir, I want to point out to the House the exact implications of this amendment is passed. For example, this House met last in July at Simla. It would mean that for anything which the police did or our Ministers did in July, August, September, October, November and up to 26th December, no adjournment could be brought before this House because all these things could be put in the form of resolution by giving 15 days notice. I submit that this amendment contravenes the Government of India Act which gives us the privilege to bring forward an adjournment motion relating to incidents throughout the year, because this amendment cuts out a part of the year.

**Sardar Sohan Singh Josh** (Amritsar North, Sikh, Rural) (*Punjab*) : Sir, the proposed amendment aims at depriving the honourable members of this House of that little measure of independence that they possess so far. It is indeed very strange that unnecessary restrictions are being imposed upon us. The amendment moved by my honourable friend Mir Maqbool Mahmood, provides that in future only such matters should be discussed in the form of adjournment motions as took place within a period of 15 days from the date of commencement of any session of the Assembly and the matters which took place before a period of 15 days, however important they may be, would not be brought under discussion. Up till now all matters which took place after the adjournment of the last session were treated as matters of recent occurrence.

**Premier :** Is the honourable member correctly representing the views of the Chair ?

**Mr. Speaker :** I do not recollect to have given such a ruling.

**Sardar Sohan Singh Josh :** Sir, I was saying that the object of the amendment under discussion is this that all matters which do not take place within a period of 15 days before the commencement of a session of the Assembly will not be allowed to be moved in the form of adjournment motions. It means that we are being deprived of the right of expressing our resentment against the *zulum* of the police or any revenue officer. It means that in future it is not open to the honourable members of this House to bring under discussion the sufferings of the masses. It means that in the future we will not be allowed to expose unwarranted acts of aggression on the part of Government to the public. I, therefore, hope and trust that every honourable member will try his best to turn down this amendment.

**Diwan Chaman Lall** (East Punjab, Non-Union Labour) : Mr. Speaker, there has been some slight difficulty on the part of certain members to understand the full implications of the motion moved by my friend Mir Maqbool

[ Diwan Chaman Lal. ]

Mahmood. I do not know whether the Honourable the Premier is also a party to this motion being brought before the House as the head of this Government. I daresay he is going to listen and listen to the debate and make up his mind as to which is the right procedure in a matter of this importance. I am glad that that is the position which the Honourable the Premier is going to adopt. What exactly does this motion mean? The motion means this. Let us be clear about the implications. If anything happens during the recess, although it may be of an emergent character, and may be such that on it can be based an adjournment motion, it will not be allowed to be debated on the floor of this House as an adjournment motion if it happens to be a matter which is more than 15 days old as from the day when the Assembly sits in session. I hope I am perfectly correct in the interpretation. I take it that that is the correct position. Let me draw your attention to the actualities of the situation. I am not concerned with any other clause, I am only concerned with this novel and strange and amusing clause which has been presented to this House.

Mr. Speaker, let us look at this matter. On the 22nd of July this House dispersed at Simla and after the House dispersed, then my honourable friend Mir Maqbool Mahmood took charge of the situation and he has been governing the province between the 22nd of July up to the 10th of January, for a period of more than 5½ months. We are supposed to be the guardians of the rights and the privileges of the citizens who have sent us to this august House. We are supposed to be the proud possessors of the gift given to us by the British Government—the gift of Provincial Autonomy. And what do we find in actual working? Hitlerism for 5½ months and for the balance of the period a majority which is prepared to throttle even the ordinary avenues of approach that the Opposition may have to ventilate its grievances. Suppose during those 5½ months that my friend over there like a snake was hibernating underground. Suppose that during that period something happened of urgent importance. Am I to take it that because it did happen and because Mr. Maqbool Mahmood thinks it could not have happened, therefore I am not within my rights to bring it before the floor of the House as an adjournment motion? What is the criterion for an adjournment motion? I think my learned friend has either not studied the matter or else he has not gone deeply into the matter. The basis for an adjournment motion is the emergent character of the matter brought to the notice of Government. The sole test, is the test of emergency, of public importance, of recent occurrence. There is no other test as far as an adjournment motion is concerned. Can my friend turn round and say that though this is an emergent matter of recent occurrence calling for the attention of Government and which arose during the period of five months when this House was in recess, merely because my friend Mir Maqbool Mahmood does not want it, the House should not have the authority or the right to discuss the matter? My friend says, "no, you should have no right to discuss it. You can only discuss it by way of a resolution." That is exactly what our grouse has been as far as the honourable members on the opposite benches are concerned. We want them to be perfectly straightforward and perfectly sincere in regard to what they want to do. Why is it that they are suggesting this? If it is for the convenience of the House, I can understand it. It is not that. It is an

attempt to throttle the Opposition. I want to appeal to honourable members over there. Are they prepared so to cut their hands, so to fetter their action that they will sit there mum in spite of the fact that their constituencies are clamouring for a grievance to be ventilated on the floor of the House of an emergent nature? Yet they are going to take away the valuable right of the members in this behalf. Let them not allow this state of things to continue. Let them not turn round and say that they are the guardians of the public of this province. Let them not turn round and say that they had the authority to deal with a grievance of the public but yet they gave away that authority to my friend Mir Maqbool Mahmood. If you have an authority, why should you be prevented from exercising it? My friend says he will give a reason. He says you can bring in a motion of that nature by a method—a very simple and a very innocuous suggestion made by him—namely, by way of a resolution. (*A voice: He is very clever.*) My friend says "very clever." I do not know that he yields the palm to my friend Sir Gokul Chand in over-cleverness (*laughter and cheers*). I do not know. What does my friend say? I happen to have read in some newspapers the fact that the members of the Unionist Party had given notice of something like two thousand resolutions for the present session. During these 5½ months emergent matters of great public moment had arisen and my friend expects us to await the verdict of the ballot when his side of the House puts in two thousand resolutions! What chance, do I ask, what chance has any resolution on behalf of the Opposition of success in the ballot, when such methods are adopted by my friends opposite? A wholesale wastage of good note paper resolutions sent *ad lib*. Notice of hundreds and thousands of resolutions given by the members of the Ministerial Party, so that the opportunity of the Opposition should be still less in order that they should not be permitted to move resolutions on the floor of the House and the monopoly should go to my friends opposite. Then we are told there is this method being adopted and with a very sweet smile on his face and in a sugary manner my honourable friend—a very clever friend—comes and says I am not taking away your right at all when I say you should come through the ballot box. (*An honourable member: Please cut short your speech.*) I will cut it short completely, if my honourable friend the Premier withdraws his motion which I note he now intends to do.

I do not usually take any length of time in discussing important matters.

5 P.M.

I had a lot to say and I would have said a great deal more on the subject but I am prepared to accede to the request of my honourable friend the Premier and I want him to make a statement and I do hope that he realises the importance of what we feel on this side and will withdraw the motion.

**Premier** (The Honourable Major Sir Sikander Hyat-Khan): Sir, I had no intention to take part in this debate because I wanted the House to decide the question on its merits. But after hearing one or two speeches from the benches opposite, I think it is necessary for me to clarify some of the issues which were confused by those honourable members. The real difficulty seems to me that my honourable friend, the member for Lahore, who spoke so eloquently and so vehemently on this motion seems to have confused adjournment motion with the ordinary resolution or rather has ignored the meaning of adjournment motion.

**Mian Abdul Aziz :** Live and learn.

**Premier :** Oh, yes. I hope I will be able to teach my honourable friend.

**Mian Abdul Aziz :** It is reciprocal.

**Premier :** Yes. I am always to admit wisdom which sometimes falls from the lips of my honourable friend. An adjournment motion is defined in these rules. We should realise that an adjournment of the House is permissible only when grave and important matters in which the whole public or the nation are concerned are to be brought to the notice of the House. I believe that my honourable friend opposite, Diwan Chaman Lall, will concede that that is the object of an adjournment motion, to bring important, urgent and recent matters of public importance to the notice of the House and to the notice of the Government. Now what has been the position during the last two sessions? If you were free to speak you will probably be able to tell my honourable friends opposite the nature of the adjournment motions which were attempted to be moved in the Simla session and here. I do not for a moment want to restrict the right of this House to move adjournment motions because if we do so we shall be seriously impairing our efficiency as a democratic legislature. It is the business of this House, it is the duty and the right of every member of this House, to move an adjournment motion on matters of urgent public importance. But my complaint against the Opposition is this. They try to bring in adjournment motions with regard to matters which are neither urgent nor of recent occurrence nor of public importance. (*An honourable member :* The Speaker is there). During the last two sessions, I have been appealing, I have been entreating, I have been requesting my friends opposite that they should try to restrain themselves, and my request had some response last time when my friend, the Leader of the Opposition—he is not here now—did try to check his back benchers not to make more or less a joke of adjournment motions, because it will more or less be like the story which we once read in our school days when we were tiny boys—*Sher aya, sher aya, daurana* (to raise false alarms)—so that nobody worries about their adjournment motions in this House because they are moved with regard to very trivial and unimportant matters. Now if a healthy convention is set up and if my honourable friend Diwan Chaman Lall uses his influence which he certainly can to good effect with the members there and if there is an assurance that they will not abuse this right of adjournment motions I am certain that the whole House will agree with me that there is no necessity for this amendment.

**Sardar Hari Singh :** May I request the Premier to give me just one instance of an adjournment motion moved and discussed on the floor of the House which was not of urgent public importance?

**Premier :** My honourable friend has provoked me to give him some instances.

**Sardar Hari Singh :** Moved and discussed.

**Premier :** It is not a question of discussion. I do not want to throttle discussion. The motion merely wants to throttle the abuse of adjournment motions. My honourable friend will concede that dozens of such motions were given notice of and some of them were thrown out. (*An honourable*

*member*: Are you referring to motions which were moved?) They send frivolous motions in dozens in order that you will be able to deal with one after the other while the session is going and if they are thrown out on technical grounds by the Speaker you cannot possibly take shelter behind that, and say that you did not move frivolous motions. My honourable friend wants me to give instances. He has provoked me to do that. (*Interruption*). One instance was with regard to the adjournment motion moved by my honourable friend opposite about remission in five villages. (*An honourable member*: It was not discussed). I know, but notice was given. (*Interruption*). I do not want to throttle in any way or restrict the right of members to bring in legitimate motions of adjournment. But what I am opposed to and wish to discourage is keeping the door wide open for frivolous and unimportant matters by the backdoor of adjournment motions. My complaint is that several of my honourable friends—I hope they will forgive me for saying so and for speaking frankly—because my honourable friend has asked me to give him instances and provoked me to say so—when they find that a certain matter does not come in through the open door, adopt the method of bringing it in as an adjournment motion. For instance, if they think that as a resolution it does not find a place in the ballot they bring it as an adjournment motion. If they think that questions will be elbowed out because of other questions they send in short notice questions. So, I think as a responsible member, it is for my honourable friend opposite to restrain and curb this tendency. I have made that request repeatedly and I repeat it again and if my honourable friend opposite would give me an assurance or at least the front benchers would give me the assurance that they would do their best to curb some of their restive back benchers I will request my honourable friend to withdraw his amendment (*hear, hear*) because I do not, as I have said, want in any way to curb the legitimate right or in any way to interfere with the legitimate right of my friends opposite or of any part of this House. But here is an instance. Notice of an adjournment motion was given—I do not know whether it was discussed or not—regarding the plunder of heaps of rice belonging to the agriculturists of Siddewala police station. Nobody who had any sense of reason would consider that this matter is one of urgent public importance or a matter of national importance. It is a matter in which an application to the deputy commissioner or the superintendent of police or other local authorities concerned, would have been sufficient and if the petitioner did not get any redress by that means, he could have gone up to the higher authorities. There was plenty of time. My honourable friend waited for one month—after a few heaps of rice were taken away—to bring in an adjournment motion in this House and waste the time of this House, instead of using the ordinary methods and utilising the ordinary channels for the redress of grievances. Similarly there are several other motions notice of which was given but were either disallowed or not admitted.

As my honourable friend, the Leader of the Opposition came to our rescue and eventually was able to get his colleagues to agree not to move adjournment motions, I hope he will also try to co-operate with me and help me in setting up a healthy convention in this House that an adjournment motion should be recognised as a valuable and important right, a right, not only to direct the attention of every section of this House, but direct the attention of the whole nation outside to matters of grave and

[ Premier. ]

urgent importance. It is only on such matters that adjournment motions should be brought. I hope my honourable friends will agree that my contention is not unreasonable and unjust and if they will help me in this matter, I am quite prepared to ask my friend Mir Maqbool Mahmood to withdraw his amendment, because we have no intention whatever in any way to restrict the legitimate rights of this House.

**Diwan Chaman Lall :** In view of the appeal made by the honourable Premier, may I have your permission to say one word so far as the present session is concerned. Honourable members on this side of the House have facilitated the business of the House. The Honourable Premier will remember that it was the intervention of the Leader of the Opposition which helped in withdrawing an enormous number of adjournment motions and that he may rest assured that if this is withdrawn, the urgent public nature of the adjournment motion will always be kept in view by the Opposition. He need have no fear on that score.

**Premier :** Sir, I am delighted that my honourable friend Diwan Chaman Lall, as I expected, has supported me in this matter and has also given me an assurance. (*Mian Abdul Aziz :* We all support you). As a matter of fact, I have already conceded, that it was through the good advice of my friend the Leader of the Opposition that subsequent adjournment motions were not brought forward and the time of the House was not wasted. I appeal not only to the Leader of the Opposition to curb the members on that side, but I appeal to all members to curb themselves from moving motions which are not really of urgent matters of public importance and in view of what he said, I request my honourable friend Mir Maqbool Mahmood to withdraw his amendment.

**Mir Maqbool Mahmood :** Sir, I wish to say one word. I am grateful to the honourable Leader of my Party for his clarifying the issue. Let me assure him that it was never my intention, as the Honourable Premier has made it clear, to restrict the legitimate rights of discussing an adjournment motion, and in view of the assurance given by the honourable member opposite, I withdraw my amendment. But let me make one point clear. Let me inform my honourable friends that it is for the first time in my life that I took blindly this course. This particular amendment is taken from the drafted amendments of the Congress province of Bombay. I beg leave to withdraw my amendment.

**Mian Abdul Aziz :** On a personal explanation, Sir. I am glad that the Honourable Premier was pleased to say—

**Mr. Speaker :** Is that a personal explanation ?

**Mian Abdul Aziz :** Yes, Sir, it is. If you will kindly allow me two minutes I will let you know. The Honourable Premier was pleased to remark that the members do not understand what an adjournment motion is. As a matter of fact, I am afraid, he did not catch my speech in the very beginning.

**Mr. Speaker :** Order, order. That is not a personal explanation.

**Lala Duni Chand :** Sir, I rise on a personal explanation. The Honourable Leader of the House has attributed to me some remarks regarding the *Musallis*, which are not correct.

**Mr. Speaker :** Order, order. Is it your pleasure that the amendment be withdrawn? (*Voices : Yes, yes.*)

*The amendment was by leave withdrawn.*

**Mr. Speaker :** The question is—

*That rule 45 be adopted.*

*The motion was carried.*

## RESOLUTION.

### CONDUCT OF PROCESSIONISTS AT LAHORE.

**Pandit Muni Lal Kalia :** Sir, I rise on a point of order. With regard to the resolution which stands in the name of 49 members, I have to submit that it should be ruled out of order on the basis that it deals with a matter which is *sub-judice*. Among the processionists, 4 persons are being tried in the court of Lala Sant Ram, Magistrate, I Class and the next hearing is fixed for the 1st February. So the matter is *sub-judice*. That is my first submission.

The second objection is that it is not clear whether this resolution is an official resolution or a non-official resolution, and whether as a non-official resolution it can be taken on a day which is meant for Government business. The resolution, as it stands, contains many signatories—6 Parliamentary Secretaries and 3 Parliamentary Private Secretaries. The resolution, so to say, is of a hybrid kind and therefore, unless it is clear as to whether it can be discussed to-day or not, it should not be allowed.

My third objection is to the language of this resolution. It is unparliamentary. So far the words used are :—

“ The House records its emphatic and unequivocal condemnation of the provocative conduct of the processionists..... and recommends to the Government to take adequate steps to deal promptly and strongly with the perpetrators, instigators and abettors of such shameful incidents and to adopt effective measures to prevent recurrence.”

I object to the word “ shameful ” which is unparliamentary.

Then, Sir, this resolution is vague and it does not deal with any matter which is required under the rules that it should relate to a specific matter. It is not clear as to who were the processionists? So, Sir, these are the points which I submit for your consideration.

**Mr. Speaker :** Can the honourable member say which definite matter is *sub-judice*?

**Pandit Muni Lal Kalia :** Four persons out of these processionists are being tried under the Press Emergency Act in the court of Lala Sant Ram, Magistrate, First Class. Shrimati Raghbir Kaur, a member of our Assembly, has stood surety for the accused.

**Mr. Speaker :** Can any honourable member say what is the exact offence for which they are being tried?

**Pandit Muni Lal Kalia :** It is in connection with the organising of the procession.

**Mr. Speaker :** The resolution, as drafted, relates to the provocative conduct of the processionists and the use of filthy and intolerable abuse by its members. Will the honourable member please say whether it is regarding any of these matters that a complaint has been lodged or the case is pending in a court of law?

**Pandit Muni Lal Kalia :** Yes, Sir. The case against these four persons is in regard to their provocative conduct as abettors of this movement. The resolution proposes to deal strongly with the perpetrators, instigators and abettors and these are the persons who are alleged to be abettors of the procession.

**Premier :** It appears that the honourable member has got more information than I have on the subject. So far as I am aware only four persons have been arrested for distributing certain unlawful leaflets. The case has got nothing to do with the procession or with those who instigated the procession.

**Diwan Chaman Lall :** May I draw your attention to the actual wording of the first two lines of the resolution? It says—

This House records its emphatic and unequivocal condemnation of the provocative conduct of the processionists at Lahore on the 24th instant and the use of filthy and intolerable abuse by its members.

It is in connection with the provocative conduct connected with the procession that these people have been arrested. Therefore this provocative conduct is part and parcel of the action taken against them by the police. If that is so, I do submit that even the slightest suspicion that the matter is *sub-judice* must weigh with you in deciding the resolution out of order.

**Mr. Speaker :** For which offence are they being tried?

**An Honourable Member :** It is in connection with the procession.

**Premier :** No. The case is under the Press Act.

**Diwan Chaman Lall :** The question is a very simple one. It is whether all matters connected with this procession will not be connected with the arrest of these four persons.

**Mr. Speaker :** The Leader of the House has stated that these four persons have been arrested for distributing objectionable leaflets. I do not know whether that information is correct or not. But in the absence of any contradiction I must take the word of the Leader of the House.

**Dr. Shaikh Muhammad Alam :** I am prepared to accept the correctness of the Honourable Premier's information. But I would like to know whether the distribution of such leaflets will not form part of their provocative conduct. (*Voices: No, no.*)

**Sardar Partab Singh :** Those persons who have been arrested for distributing the leaflets, are they not also abettors and leaders of the procession?

**Mr. Speaker :** In the absence of any contradictory information from the Opposition I think it is my duty to accept what the Leader of the House has said. He is in a position to know the facts.

**Premier :** As I have already stated, my information is that four people were arrested for distributing unauthorised leaflets and the proposal is to prosecute them under the Press Act. I have just sent for the papers in order to make sure of the correctness of my information.

**Mian Muhammad Iftikhar-ud-Din :** I am glad that the Honourable Premier has sent for the papers. The actual fact is that these people went out with a loud speaker to do propaganda for this demonstration.

**Mr. Speaker :** What I want to know is the exact nature of the complaint that has been filed against them.

**Premier :** I have since got the papers. I find that the information is that four persons were arrested under the Indian Press Emergency Powers Act of 1931. The case is still under investigation. No challan has yet been filed in any court of law. Nobody has so far been arrested in regard to the procession.

**Raja Fateh Khan** (Rawalpindi East, Muhammadan, Rural) (Urdu) : Sir, I beg to move the following resolution :—

This House records its emphatic and unequivocal condemnation of the provocative conduct of the processionists at Lahore on the 24th instant and the use of filthy and intolerable abuse by its members and recommends to the Government to take adequate steps to deal promptly and strongly with the perpetrators, instigators and abettors of such shameful incidents and adopt effective measures to prevent their recurrence.

Sir, it was the first procession in the history of the Punjab which used intolerably rude and highly abusive language and has thereby caused a slur on the fair name of the province which even the tears of repentance cannot wash away. Intolerably vulgar abuse was hurled at the honourable ministers and particularly at the Honourable the Premier, who is not only the undisputed leader of the Muslims of the Punjab but is also the esteemed and worthy leader of the united nation. The following verse aptly describes the many qualities of head and heart of our guide and mentor :—

خلیق اتنا کہ پہلو میں لئے پنجاب کا دل ہے  
عزیز اتنا کہ انبائے وطن کی آنکھ کا تل ہے

It was a mean attack on his person to call him names and it is a matter of shame for the whole province that he was subjected to such shameful conduct on the part of the processionists. The second person who came in for his share of the filthy abuses was Chaudhri Sir Chhotu Ram whose only fault lies in the fact that he has inspired the down-trodden and destitute zamindars of the province with the wish to live and let others live. The fact cannot be gainsaid that the zamindars are very near their death and that their speedy dissolution is longed for by another section of the population. But thanks to the unremitting labour put on their behalf by the Honourable Minister, they are still able to hold their own against their adversaries and are putting up a good fight in the struggle for existence.

A vile attack on the person of a respected leader like the Honourable Chaudhri Sir Chhotu Ram is an open and dangerous challenge to the very

[ Raja Fateh Khan. ]

existence of the zamindars of every community in the province. When under the orders of the United Provinces Congress Ministry a *lathi* charge was made on a riotous mob of labourers at Cawnpore, Mahatma Gandhi said that "Civil liberty is not criminal liberty." If what the Mahatma said is correct it would be tantamount to giving free play to criminal liberty if such incidents are allowed to pass unnoticed.

Any nation that wants to live cannot do so without observing the dictates of law and order. No responsible person or government can tolerate such lawlessness lest this world of ours should be converted into a wilderness fit for beasts only. I would quote here Dr. Sir Muhammad Iqbal who says :—

دھڑ مڑن عیش درام آئیں کی پابندی سے ہے  
موج کو آزادیاں سامان شیون ہو گئیں

These lawless persons know how to start a conflagration, but they do not possess the power of keeping their own vile nature under control—

نشہ پلا کے گرانا تو سب کو آتا ہے  
میزہ تو جب ہے کہ مگرتوں کو تھام لے ساقی

I am reminded of an incident which occurred a few years ago. While presiding over the Khilafat Conference at Amritsar, Maulana Zafar Ali Khan in the presence of Mr. Gandhi said the following words about Pandit Madan Mohan Malaviya, "One of his feet was in the Viceregal Lodge and the other was in Mahatma Ji's cottage and that his double dealing policy had adversely affected the Indian political atmosphere." On this Mahatma Ji stood up and said that the Mualana had every right to differ from the political views of the leader of another community, but by saying these words in his presence the Maulana had thrown a bombshell on his head. If a man of Mahatma Ji's tolerant views and an apostle of peace compared the above-cited words to a bomb then the filthy abuse showered upon the Premier and his colleagues may well be compared to throwing a bombshell on the magazine of the honour and dignity of the Punjab. I can very well imagine the dire consequences which may result from such misuse of liberty of speech and keeping that in view I appeal to the House in the name of the honour of the province to strongly support my resolution.

**Mrs. J. A. Shah Nawaz** (Parliamentary Secretary): Mr. Speaker, differences of opinions in the political spheres are a sure sign of progress especially under a democratic form of Government. Such differences alone can make the best of such institutions. These differences are justified so long as they remain within limits and are carried on in a dignified manner. What happened on the 24th instant? We were given to understand that a day had been set apart for holding large public meetings all over the province and a very largely attended gathering in Lahore itself was held in support of a few prisoners who were on hunger strike in the Punjab jails. We also heard that very provocative speeches were being delivered on the 23rd evening. In fact that very night one of my friends who had attended that meeting came to me and told me that one of my sisters had spoken in a strain which should make us feel apprehensive. If the state of affairs

has reached such a pitch that women of this province have inspired their friends to go to the Assembly Chamber and come back only when all the prisoners who are on hunger-strike have been released, what is going to happen to the martial races? They referred to the orders that were issued on behalf of the Premier. Let us take into consideration the orders that were issued to the police. The police was told that however provocative the attitude of the masses or the mob may be, even if they be attacked, they should not raise one finger in self-defence—that they were to exercise the fullest possible self-restraint. Brickbats were thrown at the police, abusive language was hurled at them, and I would be failing in my duty if I did not say one word of praise to-day for the police force that showed such a wonderful coolness. (*Hear, hear.*) In spite of all that provocation, they did not use any force and believe me, that is showing greater courage than if they had done anything in retaliation. Following the practice of the Houses of Parliament in England, section 144 was also applied in this case, and the processionists were told that they would not be allowed to come within a radius of  $1\frac{1}{2}$  miles of the Legislative Assembly Chamber. At 6-30 p.m., the police is withdrawn from the Assembly Chamber, and processionists march towards this Chamber. All day long we had been listening to several of our honourable members on the other side telling us that these processionists only wanted to come here with peaceful intentions and what happens? Not only do they break window-panes, they were prepared to break even the doors, and when I mention these things believe me I bow my head in shame and sorrow. Several of my friends here on these benches will tell you, as eye-witnesses, of the abusive language that was used about the ladies of the Premier and the Honourable Sir Chhotu Ram (*Shame, shame*).

**Premier :** And also my friend, Sir Sundar Singh Majithia (*Shame shame*).

**Mrs. J. A. Shah Nawaz :** The question was only that of thirteen hunger strikers. Thousands of our Indian gentlemen have laid down their lives for the honour of their women. I would rather wish that thirteen thousands of us had died than that the fair name of this province should have the worst blot that could possibly be placed on it. Mr. Speaker, if we compare the behaviour of the Unionist Government to that of the processionists, then we cannot realise how my honourable friends on the opposite benches could be justified in letting loose these forces as they are doing because of their inflammatory speeches on public platforms and otherwise.

**Diwan Chaman Lall :** I do not want to interrupt my honourable friend but she is insinuating that honourable members opposite are really guilty of making the processionists abuse the honourable ministers. I hope she is not making that insinuation.

**Mrs. J. A. Shah Nawaz :** I am coming to that.

**Mr. Speaker :** No insinuation of any sort please.

**Mrs. J. A. Shah Nawaz :** I said that some of these inflammatory speeches are often delivered on the platforms. I want to further develop my point. Do they realise that in this province so many martial races are living who supply sixty per cent. of the Indian Army whereas the rest of India supplies only forty per cent.? Sometimes speeches are delivered by

[Mrs. Shah Nawaz.]

my sisters on those platforms—I am not saying of one sister here, but many others—but do they realise what things will happen? Can you quote a single instance in any one of the Congress provinces or in any one of the hundred and one meetings that have been held by the Congress party as well as the Unionist party all over this province where the members of the Unionist party or of any other party have used such language in regard to women? This happening, as I said, is an insult not only for the ladies of those three or four gentlemen, but an insult to the womanhood of this province, and I am sure that my friends on the opposite benches will not hesitate to join hands with us in condemning the abusive and filthy language that was used by these people (*hear, hear*) and will also join hands with us in placing in the hands of the Government such adequate power that would prevent in the future occurrences of such a nature. I would say that if legislation is required, we ought to be ready to enact such legislation so that in future the fair name of the womanhood of India—womanhood that is proverbial, that is well known all over the world for its dignity, its modesty, for its wonderful self-respect and for its self-sacrificing spirit—is not thus stained. For the honour of that womanhood I demand that adequate measures should be taken remembering always the words of Hali:—

اے ماؤ بہنو بیٹیو دنیا کی عزت تم سے ہے

(*Loud applause.*)

**Shrimati Raghubir Kaur** (Amritsar, Sikh, Women) (*Punjabi*): Sir, it has been stated before the House that the processionists used obscene language and showered filthy abuses on our honourable ministers. But nobody has the courage to say that the whole fault lies with the Government, for they were responsible for the promulgation of section 144. I may be permitted to point out that the processionists could not have indulged in such pranks because the police had formed a cordon round them. When my friend and myself reached the spot we found that Baba Sohan Singh, Santa Singh and others were sitting there peacefully encircled by the police. I was simply surprised to see hundreds of policemen with six feet long *lathis* in their hands, posted there. I found many lorries standing near by. They were waiting for the prisoners to be conveyed to the jail. This is what I saw with my own eyes. Besides, I submit that the processionists had no sinister motives at the back of their heads. They personally wanted to request the ministers to release those brethren of theirs who had gone on hunger-strike. I may point out to the honourable members on the opposite benches that it is because of the selfless sacrifice made by these gentlemen behind the bars that to-day they find themselves at the helm of affairs. I would submit with all the emphasis at my command that no responsible person in that procession hurled abuse on the honourable ministers. It is possible that certain irresponsible persons might have used filthy and abusive language. However, the fault lies with the Government in as much as it promulgated orders under section 144, Indian Penal Code, banning thereby gatherings of persons or taking out of processions. The Government ought not to have done so. They ought to have given the people full freedom to ventilate their grievances and put forward their legitimate demands.

But the Government created obstacles in their way by promulgating section 144. Now it is stated that the processionists insulted the ministers. I concede that the activities of some irresponsible members of the public may have been undesirable, but the responsible leaders of the procession were perfectly peaceful and they did not call anybody names.

Besides, my submission is that heavens would not have fallen, if the Government had not promulgated section 144, Indian Penal Code. These peaceful demonstrators were coming with the object of demanding the release of those jewels of the Punjab who are rotting in the jails and many of them are suffering from various kinds of wasting diseases. Honourable members of this House have not perhaps forgotten the case of Ram Kishen, who has developed tuberculosis and who is slowly but surely nearing the end of his earthly existence. Similarly, other patriots are rotting within the four walls of their prisons. The Government feels very much perturbed over the abusive language used by some members of the public but they refuse to look at the other side of the picture and are paying no heed to the fact that some of the most promising youths of the country are immolating themselves at the altar of Bharat Mata by resorting to hunger-strike. I want to proclaim in the clearest terms that if the present Government continues to disregard our grievances and refuses to ameliorate the condition of the province by acceding to our legitimate demands, then the days of the present administration are numbered and it would soon be kicked out of office. To-day the Unionist Party holds the reins of Government in its hands and the future of the Punjab is entrusted to its care. I beseech the honourable members of that party that they should secure the release of these young men, who are the jewels of the country and save them from falling a victim to hunger-strike. They should not take shelter behind the pretext of abusive language used by the processionists. I again assure the honourable members that the leaders did keep the procession well under control. I perfectly remember that comrade Bhagat Singh was at the head of the procession and he prevented the people from committing any objectionable act. I witnessed an incident when he castigated a boy who was going to utter some objectionable slogans.

In conclusion, I would ask as to why they are afraid of people who are suffering from leprosy and tuberculosis. They are not bombshells, which when the catch is released would burst with tremendous force and involve the government in ruin and complete destruction. I wonder why Government regard them as a source of danger. This Government is not a wall of sand that it cannot withstand the slightest shock. So far as the question of hurling abuses on the ministers is concerned, I may submit that this is a false statement. I cannot for a moment imagine that a procession led by such venerable personalities as Baba Sohan Singh would indulge in abusive language. I may point out to the honourable members that infuriated mobs in other countries even though they may cause great damage to property are not severely dealt with by their governments. Our Government is making mountain of a mole hill and is lashing itself into fury for the faults of a few irresponsible persons. May I once more request the Government to release these political prisoners whose only fault is that they love their country too well.

**Mian Sultan Mahmood Hotiana** (Pakpattan, Muhammadan, Rural) (Urdu): Sir, may I congratulate the Honourable Premier on the exemplary restraint shown by the police under him inspite of the great provocation. In fact it is the cool-headedness of the head of the province that has inspired them to show such restraint and self-control on such occasions. But for his noble inspiration, the police might have done something which we would have repented afterwards. It goes without saying that this restraint on the part of the police has clearly shown that the introduction of provincial autonomy has really brought about a radical change in the outlook of the Government.

The second point that I would like to lay stress upon is that the so-called demonstration was not at all a demonstration in the real sense of the word. It was nothing short of causing disturbance.

**Mian Abdul Aziz**: May I know if the honourable member is not a graduate and cannot speak in English well?

**Mr. Speaker**: Is the honourable member a graduate and is he not able to speak in English?

**Mian Sultan Mahmood Hotiana**: I cannot adequately express myself in English on the subject under discussion.

**Dr. Gopi Chand Bhargava**: On a point of order. The other day, Sir, I submitted that I could not express my feelings on a certain question in English and I wanted your permission to speak in Urdu—I am only an under-graduate and then I am a medical man. A medical man is not expected to be conversant with English literature. Therefore, when I was not permitted to speak in vernacular, I do not see how a graduate can say that he cannot speak in English and be permitted to speak in vernacular.

**Mr. Speaker**: Such honourable members as have been speaking in English, whether they are graduates or under-graduates, without any compulsion on my part, will not be allowed to speak in vernacular even now. But if those, whether graduates or not, who have not spoken yet in English, say on the floor of this House that they are unfit to speak in English, I cannot disbelieve them.

**Lala Bhim Sen Sachar**: We have been speaking in English under compulsion.

**Premier**: May I request my honourable friends that it is not a matter of joke. It is not right that we should go on restraining the speakers from expressing their feelings. For the sake of the peace of the province we should allow the speaker to continue without interruptions. It is not a matter for amusement.

**Mian Sultan Mahmood Hotiana** (Urdu): I was submitting that it was wrong to describe this unlawful assembly as a procession. I was present at the meeting which preceded the holding of the procession and heard highly inflammatory speeches there. If the object of the demonstrators was to bring their grievances to the notice of the government, they ought to have availed themselves of the Premier's offer to meet a deputation of their four or five representatives. Their refusal to take advantage of the offer showed that they were only anxious to rouse the feelings of the public. As I was present I can say without fear of contradiction that some honourable

members of the Opposition were present there but none of them cared to persuade the rowdy audience to behave peacefully. Shrimati Raghbir Kaur also delivered a forceful speech. The sole object the processionists seemed to have in view was to create a disorderly scene and to carry on a vigorous propaganda in favour of the Congress. I may add that the object of this demonstration was two fold. First, the demonstrators wanted to bring the Unionist Government into disrepute with the public at large and secondly they wanted to show to the world that they controlled the peace of the province and when they desired they could let loose the forces of disorder. In view of these facts I am constrained to remark that if the Punjab had been under a Congress Government, the demonstrators would have probably been fired upon as had happened in Congress governed provinces. (*Cries of 'question' from Opposition benches*).

**Diwan Chaman Lall :** When ? Where ?

**Mr. Speaker :** Order, order.

**Diwan Chaman Lall :** The honourable member is making a false statement.

**Mr. Speaker :** If he is making a wrong statement, he may be contradicted at a later stage.

**Mian Sultan Mahmood Hotiana :** In Cawnpore. I was submitting that the attitude adopted by the rowdy mob was extremely objectionable.

The Congress President while expressing his views about this unfortunate incident remarked that this indecent and shameful demonstration should not have been held on behalf of the Congress. Shrimati Raghbir has remarked that—

**Sardar Sampuran Singh :** On a point of order, Sir. The honourable member is not giving the full name of the lady member.

**Mr. Speaker :** The names of honourable members should not be curtailed or abbreviated. Also their titles, etc., should not be omitted.

**Mian Sultan Mahmood Hotiana :** Well, Sir, I ask the honourable members, to whom the Assembly Chamber belongs which was made the target of the fury of the crowd the other day who pelted stones at it and broke the window panes ? Surely it belongs to the public whom we have the honour to represent in this Honourable House. I may also point out that the leaders and the ministers on whom the processionists showered filthy abuses are in fact the leaders and ministers of the majority of the electorates. I would, therefore, submit that the billingsgate language used by the disorderly mob against the accredited leaders and ministers of the Punjab was in fact employed against every punjabi of the land of five rivers. The honourable members opposite should feel the height of absurdity the processionists have been guilty of. With these words I strongly support the resolution under consideration and request the Government to take strong measures against the people responsible for this shameful incident.

**Mian Muhammad Iftikhar-ud-Din (Kasur, Muhammadan, Rural) :** Mr. Speaker, I rise to speak as an eye-witness. I am not going to appeal to the sentiments of the House. I shall only state in two or three minutes actually what I saw on Monday last. The question before us this evening

[ Mian Md. Itikar-ud-Din.]

is of a very delicate nature and it is necessary to define the attitude of the Opposition correctly. The fact is—and I need not emphasise that fact—that we on this side of the House are not going to lag behind any member of this House, not excluding the honourable members against whom those slogans were uttered, in recording our emphatic disapproval and condemnation of what happened on Monday last. But there are one or two questions which have been totally misunderstood. Allow me first to point out that our regret and our disapproval of the conduct of a section of the mob in the demonstration that was staged on Monday last is not only based on one consideration as is the condemnation of my friends, or the condemnation of the attitude and of the misbehaviour of a section of the mob on Monday last is not based only on one consideration as the attitude and the condemnation of my friends opposite. Their condemnation naturally is based on their sense of decency. Our condemnation is also based on our sense of decency, but there is a further ground for us to feel sorry for what happened on Monday last. We had a certain object in staging that demonstration and the perpetrators of that demonstration have our full sympathy in the object for which they staged that demonstration, and the section of the mob which uttered those slogans and which committed those misdeeds has defeated our object, namely the object of the release of political prisoners. Therefore we have two grounds to be sorry and to condemn the behaviour of the section of the mob on Monday last. Please let me make it clear that we are not going to lag behind in any way any member in this House in emphatically disapproving the activities of a certain section of the mob on Monday last. But one thing allow me to point and I will state it at the very beginning. The speeches were delivered just before the procession started. As the Honourable Premier will bear me out Munshi Ahmad Din and Mr. Bedi and others were the main actors in the stage of this demonstration and I am going to read two or three lines of the reports of their speeches as they were given the next morning in an English daily.

“Munshi Ahmad Din, who presided contradicted at the outset a press report saying that they were resorting to civil disobedience. He took strong exception to this report, which, he characterised as intending to make their peaceful demonstration a failure. He also made it clear that their object was simple demonstration and nothing more.

Mr. Bedi requested the audience to remain peaceful and obey the directions of the leader of the demonstration.

After this the demonstration started and as again the Leader of the House will bear me out the demonstration after reaching Shahalmi Gate at Sitla Mandar was stopped by the police and then for five hours the demonstrators were there and the police never had an occasion to conduct any lathi charge on the demonstrators. They were totally peaceful. There was no provocation from their side before the crowd from outside the Shahalmi Gate collected. The crowd and the demonstrators were divided at that particular junction because the demonstrators were inside the city and the crowd was outside the city, and we three members of this House were present when the police lathi charged the crowd.

And we cannot safely say that the police was not unprovoked. But what I want to emphasise is that the police had to lathi charge, not the demonstrators but the crowd—a crowd which had been making noise

or perhaps disturbing the police. I do not know the exact cause of the lathi charge. But there it was and that crowd naturally had a grudge against the police. You can very well imagine the feelings of these demonstrators. They were waiting there till half past six and after half past six the police cordon was withdrawn and no police followed the procession afterwards, a precaution which is taken even in the case of ordinary processions. The people who were outside the Shahalmi Gate and Sitla Mandir preceded the processionists and they were luckily enough about 200 yards ahead of the processionists. In that way they came to Anarkali and then to the Assembly Chamber. I was all the time with the processionists. As we reached the Assembly Chamber we saw a second mob throwing stones from that corner opposite the Government College. At the Assembly Chamber people were trying to break the gate open. Mr. Bedi and I ran there and he reached before me. The processionists were left behind. He stopped the mob and he and I stood before the gate of the Assembly Chamber and we were successful in controlling the public. But by that time they had probably smashed the sign board outside the Assembly Chamber and also a few window panes. But it was that section of the mob which from the very beginning—as it is rightly alleged—which was responsible for this and also for the objectionable slogans and not the processionists in question. So what I want to make clear is this. We thoroughly disapprove the activities and the slogans that were uttered by a certain section of the mob at the time of the demonstration which was staged on Monday last, but that section of the mob had nothing to do with the processionists whose behaviour, as I have tried to prove, naturally could not but be peaceful because of the mission they had in view and wanted to carry out.

**Khan Bahadur Chaudhri Riasat Ali** (Hafizabad, Muhammadan, Rural): Sir, it is with a feeling of depression and grief that I rise to support the resolution. I need not discuss the details as they have been admitted and fully described by each and every section of the House. I am destitute of words to condemn the abusive language which has been used. Sir Sikander Hyat-Khan might not take exception to that language on account of the magnanimity of his mind or his devotion to his country. Sir Chaudhri Chhotu Ram might not feel offended at the language used against him on account of the fact that it might intervene or hamper with his programme of advancement of the poorer population of the province to which he has dedicated his life. But we the average citizens cannot find sufficient words to denounce and condemn that shameful demonstration. We have to see the mentality of the ordinary citizen who is going about in the streets. If such demonstrations are afoot daily what will happen? Some section of the peaceful population, might take strong exception to that; they might attack the processionists, though they may be absolutely peaceful and there might be a counter attack with the result that there would be a general massacre and a good deal of bloodshed. A civilised government cannot tolerate under any circumstances the disturbance of peace and tranquillity of the province. My fear is that we might have to face the same troubles which we had in 1932 or 1919. People should get wiser by experience. Sir, we remember what havoc and destruction the civil disobedience movements for example, caused in our province. We remember how our provincial wealth was squandered on account of the maintenance of special

[K. B. Ch. Riasat Ali.]

police, special establishments, special public prosecutors and special jails. We remember how families were ruined, how the heads of families were murdered leaving orphans and widows behind. What I want, therefore, to press is that the state of lawlessness should not come back to our lot once again. You know that lawlessness when once afoot does not spare anybody in the world. History tells us that lawlessness does not favour any individual, it respects no community and it knows no religion. I think personally that it is better to be a prisoner of law than to be a free man of lawlessness. If this state of affairs continues, I think that the whole province will be involved in very great trouble and it will be very difficult for the Government at that stage to stop the conflagration or contagion or whatever you call it. I am glad that Mian Muhammad Iftikhar-ud-Din on the floor of this House has at least stated that it was the other set of people and not the processionists who misbehaved. The same has been said by the *Tribune* of to-day. But it is very difficult to distinguish in such cases whether a man was a member of the processionists or not. The processionists, or the leaders of a procession, as they take out a procession, are totally responsible for the doings or misconduct of those people who join hands with them who mix with them and who make themselves part and parcel of the procession. My friends are very able lawyers and they remember that even in ordinary cases persons who have been mere bystanders have been punished with capital sentence for murders and other crimes committed by others. It was the duty of those leaders to control the mischievous activities of those people who formed part and parcel of the procession and who joined them at that time. There was nothing to distinguish them from the others. They were wearing no badges; they had no separate colours on their hands and faces to distinguish themselves from the others. (*An honourable member*: They were wearing badges). My contention is that to all intents and purposes they are, if not legally speaking at least morally speaking, responsible for the actions of the other people. Another sentence which is very important in the statements issued by the office bearers of certain political bodies is this. They say, let the authorities know that this agitation will continue with greater vigour; we have only made a beginning and we shall not stop unless and until we have our comrades back from the prisons amongst us." This is a regular ultimatum and to cope with the situation which is to be created or which we can anticipate to be created, I would suggest that the only duty of the Government is to cope with such a situation with iron hands and stop the activities. They should take strong legislative measures in their hands to preserve the peace and tranquillity of the province. This reminds me of a particular verse, which morally speaking, is likely to apply to such persons. It is :—

جو از قوتے بکے ہے دانشی کرد

نہ کھران منزلت ماند نہ مہران

Technically speaking we have to see whether a particular person belongs to a particular procession or not. If he is one of those, or if he is in any way connected with them, I would submit that this thing alone will be sufficient to condemn that man. Now, Sir, it was said—of course there will be n

time to reply to that argument—it was said that the language used in the resolution is unparliamentary, as it includes the word “shameful”.

**Mr. Speaker :** Honourable member's time is up.

**Dr. Gopi Chand Bhargava** (Lahore City, General, Urban) : Sir, I claim to be second to none in the condemnation of the action of those who were responsible for all that happened on the 24th January, in front of the Assembly hall. Sir, it is not from any other point of view, but it is only from the point of view of a civil resister who claims and tries to follow Mahatma Gandhi and follows in his footsteps in the demand of complete independence. As a civil resister, I claim to be second to none, as I have said, in the condemnation of that action. There is one difficulty and it is this that I scent something else and what I scent is that which has been made more clear by the speech of my honourable friend who has just sat down. It is said in the resolution, ‘provocative conduct of the processionsists at Lahore.’ I see that the word ‘processionists’ used here is a very wide term. Nobody has yet told us what happened. Can I rely on the official version which was supplied to the *Civil and Military Gazette*, at 7-30 P.M., that day by the Government? It says—

“The information so far available shows that the mob was persistently provocative and threw bricks at the police who were trying to keep it beyond the prohibited area. Two policemen were injured and have been admitted to hospital.

The police are reported to have used no force, beyond pushing back the mob when it tried to rush beyond the prohibited line.

A mob of several thousands later came to the gates of the Civil Secretariat threw stones at the buildings, damaged windows-panes and sign-boards and shouted provocative and filthy slogans.”

Sir, as has been pointed out by my honourable friend, Mian Iftikhar-ud-Din, there were two parts of the procession. One consisted of demonstrators who were sitting in the Sitla Mandir and who were really following the mob, which was ahead by 200 yards. The other consisted of the spectators who were ahead of the demonstrators by 200 yards. Therefore, Sir, we are agreed to condemn all that mob which was responsible for this action. I cannot condemn the demonstrators, but I will congratulate them, who did not break the law, inspite of the fact that they felt insulted on the promulgation of section 144. Had I been in the place where the Ministers are, I would have welcomed those people. I would have gone there, heard them and placed before them my point of view and my difficulty, if there was any. But here instead of welcoming the demonstrators, they are condemned. They were ordered not to proceed and some of them were ordered not to take part in any of these demonstrations. They did not break the law, inspite of the fact that they felt it was a gross provocation. Therefore, I think, I must congratulate the demonstrators rather than condemn them by an indirect method, as an effort is being made to do through this resolution. Therefore I support the resolution, as far as it condemns the action of those who were responsible for this thing, and not the demonstrators themselves.

Then, Sir, I would take up the second portion of the resolution—the use of filthy and intolerable abuse by its members and to take adequate steps to deal promptly and strongly with the perpetrators, instigators and abettors of such shameful incidents. What I scent in it is this. Government want to suppress the demand for release of political prisoners made

[ Dr. Gopi Chand Bhargava.]

by the demonstrators. They cannot face it otherwise. They want to haul up persons and imprison all those persons who are at the helm of affairs, those who are responsible for this agitation and who want to carry it on for the release of political prisoners. If this resolution is passed, what would it mean? It mentions action against 'perpetrators, instigators and abettors' which can include everybody whom the Government want to arrest, because after all the Government relies on the reports of the police. About 10 years ago the old Council, when the Honourable Premier did not sit on the Treasury benches, but somewhere there, discussed an adjournment motion and censured the Government on the policy or responsibility of the Government about one Mr. Banerji, who was an *agent provocateur*. The House unanimously adopted that motion and the Government had not the courage even to claim a division on it. Sir, we know there are certain *agent provocateurs*, who under the orders of the Government, go about to *badnam* a certain set of people when they arrange such demonstrations. I think most of the members of this House very well-know that false reports about such demonstrations are sent to the Government by these *agent provocateurs* and the police and if the Government is going to rely on these reports and haul up all those people and all the perpetrators, instigators and abettors, I think, it would not be right on the part of the Government. I submit that if this House is going to agree to this resolution and give the Government a free hand to deal with such people, and to support whatever the Government does, I think we shall be guilty of a breach of trust which people have reposed in us. I think the Government has already got repressive laws on the statute book. But as I said the processionists went on peacefully and they ought to have been congratulated even by the Government. Instead of that, now it is said that if such demonstrations are repeated by them, the Government will haul them up. They want our support. I shall be second to none in condemning even the highest man if he were to give up his method of non-violence. I cannot be a party, I cannot allow the Government without my protest, to adopt such an indirect method of suppressing the lawful and just rights of the people for claiming the release of political prisoners by appeal to our sentiments.

**Sayed Amjad Ali Shah** (Parliamentary Private Secretary) : Sir, the Honourable Leader of the Opposition has just said that Government want to try to haul up some agitators and this they want to do by tabling a resolution in which the abettors have also been involved. Let me assure him that the Government have no intention of any such thing. We all recognise that under democracy all people cannot look at any question with the same eye. Some people will look at one side of the question and others at the other side. But it is for the people who differ with the Government to take constitutional means of opposing the Government. In this connection I should like to draw the attention of the House to what was said by Mr. Kidwai in one of his statements the other day when he addressed a meeting of peasants. He said—

"Congress Government would either be forced to take coercive measures or get out of office if peasants did not obey the laws in force to-day."

This is what we also propose to do. We thought that the Congress had re-orientated its policy and that they had changed their creed from one of civil disobedience to opposition by constitutional methods. But

unfortunately we find that in some places the old policy still continues, and I am very sorry to see that it is the case in the Punjab. I would only draw the attention of the House to the reasons for the demonstration of these processionists. If it was a demonstration to bring to the notice of the Government their grievances, that could have been done in many other ways. Honourable members opposite who have sympathy with these processionists could easily have brought their grievances for discussion in this House. At least the processionists could have arranged peaceful demonstration through the city. Government would not have objected to that at all. Government were only trying to safeguard and protect the trust placed in their hands. These buildings of the Secretariat and the records within the building are trust property which the people have entrusted to the Government. If the processionists were let loose in the building, what would have happened? They would have made bonfire of all that we see still standing.

**Diwan Bahadur Raja Narendra Nath** (East Punjab, Landholders) : Sir, certainly no one has any meed of praise for what some of the processionists did. But it has been suggested on the other side that section 144 should not have been applied. I do not think that the action of the executive Government on that point is at all open to objection. Section 144 has been used even in provinces in which Congress Government prevails. (*Hear, hear*). I have also reason to believe that in England processionists of this kind are not allowed to approach within a mile of the House of Commons. (*Hear, hear*). I consider that the precaution taken by the magistrate by issuing an order under section 144 is perfectly justified.

The Honourable Leader of the opposition suspects that there are measures in contemplation intended to throttle legitimate agitation for the release of political prisoners. It would be premature to pass judgment upon measures which are only in contemplation. When the measures come up before the House we will be able to judge how far it is right to accept them and how far they should be rejected. The Leader of the Opposition suspects that the object of this resolution is to adopt some coercive measures in order to prevent legitimate agitation. I do not think we will be right in forming a prejudiced opinion about those measures until they come before us and we have had time to examine them. As for the application of section 144 I have only to say that when the Congress comes into power in this province that Government also will adopt measures similar to those adopted by the present Government to meet situations as the present one. I should like to conclude my speech by saying that I am behind none in condemning the objectionable methods adopted by some of the processionists. I may also point out that the resolution does not condemn all the processionists who did not take part in those objectionable practice, but only those who resorted to objectionable ways. (*Hear, hear and cheers*).

**Sardar Partab Singh** (Amritsar South, Sikh, Rural) (*Punjabi*) : Sir, I wish to make it clear at the very outset that the honour of the Honourable Ministers is as dear to us as our own. We cannot tolerate any reflections being cast on their honour. But I may submit, that we should not condemn the conduct of all the processionists but censure only that rowly element amongst them which used abusive language and indulged in hurling bricks and missiles on the Secretariat buildings.

[S. Partab Singh.]

It is very unfortunate that this resolution has been moved in its present objectionable form. It is an attempt to heap insults on the fair name of the Punjab. It is not reasonable to condemn the people who were responsible for taking out the processions and who had no hand in the rowdyism exhibited by a handful amongst the processionists.

I condemn the conduct of those who used abusive language and threw brickbats at the police, in the strongest terms. We feel ashamed of their shameful conduct. This is an outcome of ninety years of slavery. Had we been a free nation, our people would have been as civilized and cultured and as well-behaved as any in Europe or America. The maxim "a subject race is inclined to ape the mannerism of its rulers" is only too true. The custodians of law and order in this province, i.e., the police force through their prolific use of filthy language have taught the inhabitants of this province to copy their masters. The habit of using obscene and filthy language has gone deep in the very roots of society.

It is a matter of common knowledge that people in every part of the province use obscene language while conversing with one another. It is a matter of daily occurrence, and I am sure that everyone of us has noticed the fact for himself that the tongawalas while driving in the streets of Lahore use filthy language. So much so that even the pedestrians talk rot while passing through the streets and they do not fight shy of using filthy language even in the presence of respectable ladies. But this does not indicate that the people seriously mean what they say. I submit that if the Government benches take exception to the alleged use of abusive language by the processionists they should try to bring about a change in the general conduct of the masses.

**Sardar Tara Singh** (Ferozepore South, Sikh, Rural) (*Urdu*): Sir, I beg to submit that much has been said on the floor of this House about the incident which unfortunately happened on the 24th instant. It is indeed pleasant to note that the action of the processionists has been condemned by both sides of the House. My honourable friend Mian Muhammad Itikhar-ud-Din has remarked in his speech that the organisers of the procession exhorted the processionists to refrain from creating any disturbance or disorder. It has been said that the procession was quite peaceful and its leaders and the organisers were determined to maintain peace and order, but when it reached opposite the Sitla Mandir, the police forced the processionists to halt and prevented them from proceeding further.

Sir, my submission is this that the police was justified in stopping the procession opposite the Sitla Mandir because an order had already been issued to the effect that no such procession would be allowed to enter the prohibited area. The procession stopped there and began to create a disturbance. The agitators and the members of the procession shouted slogans and threw brickbats at the police force resulting in serious injury being inflicted on two policemen. The processionists used filthy and abusive language but no one tried to forbid them from doing so. To-day we find a statement published in the papers to the effect that the organisers and the leaders of the procession were not responsible for what happened on that day. It is stated that the organisers of the procession cannot be held responsible for the incident, inasmuch as it was the general public

and not the processionists which created the disturbance. Also that the organisers of the procession could not be expected to control the fury of the masses and maintain a spirit of discipline amongst them. Sir, my submission is this that if the organisers were unable to keep control over the mob they ought not to have staged the demonstration. It is a fact that the mob was furious at the moment and they resorted to violence. Although every possible provocation was given by the processionists, the police force showed the fullest possible self-restraint in face of this highly objectionable demonstration. Sir, it is very difficult to distinguish the processionists from the general mob and so we definitely hold that the former were responsible for this untoward demonstration which took place on that day.

Sir, we know it for a fact that in the Congress governed provinces no such demonstrations are staged and the police do not show such exemplary self-restraint as our police did on the 24th instant. In Patna no such untoward incident took place although there the political prisoners had also gone on hungerstrike. It is a great pity that a request which could be made constitutionally was translated into a very disorderly demonstration. It is sad to note that political prisoners go on hunger-strike for the sole purpose of creating disorder in the province.

In the end, Sir, I emphatically condemn the action of those who are responsible for the incident in question. My head is bowed with grief and shame at the unseemly conduct of some irresponsible persons who used filthy and abusive language against certain respectable ladies and gentlemen. With these remarks I whole-heartedly support the motion under discussion.

**Lala Deshbandhu Gupta :** May I move my amendment to this resolution, Sir ?

**Mr. Speaker :** In that case the whole time shall be taken by amendments and the original motion shall not be fully discussed.

**Lala Deshbandhu Gupta :** I only wish to invite the attention of the mover of the motion as well as his supporters to the position as it appears to us. The whole House is agreed that those who misbehaved should be condemned, there is no difference of opinion so far as that part of the resolution is concerned. The real question involved in this amendment is—

**Mr. Speaker :** I have yet to call upon the mover to make it clear whether it is the lawless group that is to be blamed or the peaceful processionists or both. That is the point. If both sides of the House come to an agreement on that point I think the position shall become quite smooth.

**Lala Deshbandhu Gupta :** The second part of my amendment relates to the second part of the resolution. I feel that there is absolutely no necessity for adopting any extra measures to guard against any such contingency in the future. As we on these benches agree to the first part of the resolution and do not wish to oppose the whole resolution as such, I think it will be only fair to this part of the House that my amendment should be allowed to be moved and discussed, otherwise the only course left open to us would be to oppose the whole resolution because it does not express our sentiments.

**Mr. Speaker :** Does the honourable member wish to move his amendment now ?

**An honourable member :** May I enquire from the Honourable Premier whether he is quite prepared to institute an independent enquiry ?  
(*Interruption*).

**Mr. Speaker :** Will Lala Deshbandhu Gupta move his last amendment ?

**Lala Deshbandhu Gupta :** Sir, if the amendment that I seek to move is accepted, then the resolution will read like this—

This House records its emphatic and unequivocal condemnation of the alleged provocative conduct of those persons who were with the processionists at Lahore on the 24th instant and the alleged use of filthy and intolerable language used by them.

So far as the first part of the resolution is concerned or I would say, the main part of the resolution is concerned, there is no difference of opinion in the House.

**Minister for Development :** Why 'alleged' ?

**Lala Deshbandhu Gupta :** My answer is simple. Half a dozen or more speakers have stood on the other side, but not one of them has said that he was an eyewitness to the whole thing. Not one of them says so.

*At this stage there was uproar.*

**Mr. Speaker :** Let me tell the honourable member that if they behave like this I will adjourn the House.

**Raja Ghazanfar Ali Khan :** On a point of order. The amendment which is moved by my honourable friend is not to be allowed because it is in direct contravention of the operative portion of the resolution. If you will kindly read the amendment and also the original resolution, I would request you to consider whether it is not in direct contravention of the resolution itself.

**Lala Deshbandhu Gupta :** I hope I will not be interrupted again.

**Mr. Speaker :** But the honourable member's time is up.

**Lala Deshbandhu Gupta :** I have not explained what the amendment is.

**Mr. Speaker :** The honourable member's amendment is—

That the following words of the resolution be deleted :—

"its members and recommends to the Government to take adequate steps to deal promptly and strongly with the perpetrators, instigators and abettors of such shameful incidents and to adopt effective measures to prevent their recurrence."

In other words, the honourable member wishes to have the request to Government omitted. The amendment is, therefore, out of order. The honourable member may oppose the resolution.

**Lala Deshbandhu Gupta :** The first part is not out of order.

**Mr. Speaker :** The honourable member has, I think, moved the second part.

**Lala Deshbandhu Gupta :** What I moved was as to how the resolution would stand if the amendment is accepted. My amendment is, as a matter of fact, one and there are three or four parts to it. The first part of my amendment is that instead of the word 'processionists' the words 'those persons who were with the procession' be incorporated. The second part of the amendment is to the effect that certain words be deleted.

**Mr. Speaker :** The honourable member might draft the whole resolution with his amendments and then move that it be substituted for the original resolution.

**Lala Deshbandhu Gupta :** I would read the whole thing as it should read.

**Mr. Speaker :** Please draft the resolution as amended by you.

**Lala Deshbandhu Gupta :** I propose to move that this resolution be replaced by the following :—

"This House records its emphatic and unequivocal condemnation of the alleged provocative conduct of those persons who were with the processionists at Lahore on the 24th instant and the alleged use of filthy and intolerable abuse by them."

This is the amended resolution or the alternative resolution, if you call it, which I propose to move. The rest I want to be omitted. In doing so my object is to express the measure of agreement that exists in the House on a delicate question like this and I think in several speeches delivered from this side of the House the Opposition benches have expressed in unequivocal terms that we yield to none in our regard for the womanhood of our province and of our country. We have said that we strongly condemn any use of filthy language or any excesses that might have been committed by those who were part of the crowd which was following or which was preceding the procession. In view of all this I do not see for a moment why the movers of that resolution should have any objection in accepting the amended form of the resolution. Do they for a moment suggest that the present laws are not sufficient to deal with such situations? Has it been suggested by any one of the speakers on the other side? Is it not a fact that there have been demonstrations not only in Lahore but in so many places and they have been dealt with very strongly by the Government? Where is the occasion for the Government to arm itself with extra powers then? (*Interruption*). Is it not a fact that honourable ministers have also met with such demonstrations in several other places and not less than twenty-four persons are to-day in jail on account of their having indulged in those demonstrations?

**Mr. Speaker :** The motion is that the following may be substituted for the original resolution :—

This House records its emphatic and unequivocal condemnation of the alleged provocative conduct of those persons who were with the processionists at Lahore on the 24th instant and the alleged use of filthy and intolerable abuse by them.

7 P.M.

**Premier** (The Honourable Major Sir Sikander Hyat-Khan) : Sir, I rise to speak to-day not as the Premier of this province but as one of the members of this House; and let me, before I begin my speech, make it quite clear that so far as those filthy abuses or epithets were directed against me I entertain no bitter feelings against those people who were misguided enough to use that language. I can also say on behalf of my colleagues that they are sufficiently large hearted to ignore those personal remarks

[Premier.]

against them. So let me make it clear to the House that there are no personal feelings in the matter at all. My sorrow and grief is that such acts and such licence can only lead to thwart the efforts of those who want to see democracy established in this province in the real sense of the word (*hear, hear*). It is for that reason that it makes us hang our heads in shame. We find that the processionists who professed to be really passive without any intention of being violent, got out of the hands of those people who tried to guide them. This is not the first instance of this nature. We have had a good deal of it before when a mob gets out of control and gets excited. My grievance against those people who were responsible for organising this procession is that instead of trying to bring a peaceful procession, according to them for demonstrating peacefully outside the Chamber, they started with meetings, no doubt with a view to create a certain amount of enthusiasm among the people. But I am sorry to say that in these meetings excitement ran high and some of my friends who probably tried to control their feelings could not do so. At one of the meetings the President of the Provincial Congress Committee presided, and my report is that about half way he had to give place to somebody else to preside at the meeting, because during that period speeches which were very exciting and inciting were made, and naturally so, and because it is against the Congress creed even to think violently, I dare say the President, thinking that discretion was the better part of valour, allowed somebody else to take his chair. But there was another meeting held at which, I am sorry to say, a large number of students also were present. Now, Sir, I think it, to use a very mild word, most reprehensible that our young men in colleges, who are the hope of the future of this province, should be diverted from their studies, distracted and brought into this kind of hooliganism. I think it is pathetic and a great tragedy for the province that those persons who profess to be responsible should allow these young men to attend this meeting where speeches were made by responsible leaders that students should join in force, no doubt with a view to augment the size of the procession. My information is that from outside very few people came and there was a general apprehension that the procession might be a small one and therefore they tried to commandeer the services of the students in the various colleges and tried to coax the students to join the procession which eventually ended more or less in rowdyism. I appeal to my honourable friends opposite that they should, as responsible leaders and as representatives of the people of the various constituencies, try to keep out our young men and not contaminate them by this kind of thing. I hope my appeal would not be in vain. I have also to appeal to the authorities responsible for the direction and control and management of the institutions. They should see that their students are not seduced and misled and that if they cannot control them they have no business to occupy their seats of power and control and they should give place to other people who can control the young men and keep them on the rails. If they cannot do it, I think it is the duty of those people who are responsible for the institutions to ask them to vacate their places and give place to people who really can manage the students and see that they do not get distracted from their studies which is the real object for which their parents sent them to the colleges. I do not mean to say that our young men should not take

part in politics. They should take part in politics and should keep in touch with what is going on in the country and in the province. This is what I said in my Convocation address that it is not for the students who are still under training to take active part in politics. Let them finish their courses, let them be a source of strength to us and those people who want to see our country rise to that standard which other nations and other countries have already attained. That is my point.

Sir, attempts have been made to say that no provocation came from the crowd. Now I am sure my friends opposite will agree with me that grave provocation was given to the police, bitter abuse and brickbats were hurled at them, missiles of all kinds were hurled at them and two of them were seriously injured and were removed to the hospital. In spite of that violence I am glad to say that the police behaved in such a commendable manner that even those people who usually abuse them had nothing but praise for them. I take this opportunity of publicly acclaiming their behaviour and congratulate the officers and other ranks for the very well-balanced disposition of the police and also for the manner in which they throughout behaved and took no step which might have been even remotely resented by the crowd. My sister opposite said that people are also ready to more or less get bullets into their breasts. They said, "*golian khawange*". Why? For what? For getting these persons released who had been convicted for crimes against person and property of their own kith and kin? (*A voice*: Question). My sister forgets that these people were convicted for offences committed against our own brethren, for, just as these people are our kith and kin, they were also our kith and kin. They were convicted for murdering those people. They were also guilty of offences against persons and against property of our own brethren, our own countrymen. But that is not the point. Why section 144 was promulgated was for this reason, that we follow the practice followed by the Houses of Parliament. There, as you are aware, no demonstrations or processions of any kind are allowed within a certain radius of the Houses of Parliament, and it was for that reason that on various occasions the demonstrations have not been allowed in the vicinity of the Assembly Chamber. This certainly was not the first occasion. My friends will remember that on the 1st of January and later again on the 10th when the Motor Drivers Association wanted to bring a peaceful procession we stopped them from doing so by promulgating this order. We are merely following the practice of the Mother of Parliaments in that respect and there is nothing objectionable and I am sure my friends will welcome that practice.

Then something was said about the Congress provinces. Several speakers have referred to them. I will however refrain from saying anything, because we should like to set up a convention of not criticising Governments of other provinces.

I am however very sorry to say that after this rowdyism and hooliganism both *en route* and when they arrived here, these processionists went back and attended a meeting outside Mori Gate and joined a bigger meeting that was going on there. It pains me to inform this House that people who returned from here more or less crowed over their so-called victory in defying the law. They said, we have achieved our object. In the course of their speeches they rejoiced over the successful demonstration. (*A voice*:

[ Premier.]

Question). Is my honourable friend prepared to deny that some of the speakers did say that they had achieved their object? They rejoiced over defying the law. They rejoiced over defying the orders of the President of the Congress. They rejoiced over disobeying the orders of Mahatma Gandhi. They rejoiced in violating the creed and the principle of the Congress. That is how I read the situation. That is what happened at that meeting. I think my honourable friends will agree with me that these people who had given pledges acted contrary to the principle, the very basic principle of the Congress and the advice of the heads and the leaders of the Congress. (A voice: Not at all). I was also able to find from the report before me that at least one of the persons who had given me a gentleman's undertaking—though he had on one or two occasions violated his pledge even before—was responsible for some of these troubles yesterday also. I do not think that I am going to take any action against him for doing this. I will probably give him a little longer rope, but let me warn him that there is an end to everybody's patience including that of the Government's, and if he continues like that I will have to take action, as I said in the Simla session, and if he again violates the law it will be my painful duty to take action against him. This gentleman was more or less responsible for stampeding the moderate element of those gentlemen who tried to advise people not to take direct action or defy the law, but what did he say? He spoke to them thus, "you are afraid, you are cowards, you do not come forward and are afraid of being imprisoned, you will be denounced" and so on. (A voice: He is not afraid of being imprisoned). He was more or less egging on the people to defy the law which is not the creed of the Congress.

**Sardar Sampuran Singh:** What is his name?

**Premier:** I do not wish to name him, but if he gets my message through the press he will realise that I have been referring to him and it is for that purpose that I have mentioned him so that my warning may be conveyed to him through the press.

If wiser counsels had prevailed and they had followed the advice which was also given by my friends opposite to send a small deputation, I would have given them a patient hearing and considered their point of view, and have given a reply as best as we could to the various demands put forward by them. But unfortunately that advice was flouted and they did not think it proper to come in a deputation but instead insisted on bringing a procession—a so-called peaceful procession to demonstrate peacefully—which broke window panes and notice boards and demonstrated at the police guard house. If two of my friends opposite had not been here worse things might have happened. I am glad of the lead they gave in trying to keep the mob in order. A mob like that always gets out of hand and it wants a very big and strong leader to keep it in control, not merely by word but something else. I have nothing to say except to express the hope that they will do their best to keep our student element out of these demonstrations in future.

**Dr. Gopi Chand Bhargava:** I want to say one thing. The Honourable Premier has been pleased to refer to the President of the Punjab Provincial Congress Committee. I beg to convey to him, through you, that the

President of the Punjab Provincial Congress Committee is as staunch a supporter of the Congress creed as anybody can be expected to be.

**Mr. Speaker :** The question is that the following motion be substituted for the original resolution :—

This House records its emphatic and unequivocal condemnation of the alleged provocative conduct of those persons who were with the processionists at Lahore on the 24th instant and the alleged use of filthy and intolerable abuse by them.

*The motion was lost.*

**Mr. Speaker :** The question is—

This house records its emphatic and unequivocal condemnation of the provocative conduct of the processionists at Lahore on the 24th instant and the use of filthy and intolerable abuse by its members and recommends to the Government to take adequate steps to deal promptly and strongly with the perpetrators, instigators and abettors of such shameful incidents and to adopt effective measures to prevent their recurrence.

*The motion was carried.*

*The Assembly then adjourned till 10-30 A.M. on Friday, 28th January, 1938.*

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# PUNJAB LEGISLATIVE ASSEMBLY.

1ST SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Friday, 28th January, 1938.

*The Assembly met at the Council Chamber at 10-30 A.M. of the clock. Mr. Speaker in the chair.*

## STARRED QUESTIONS AND ANSWERS.

### DRINKING WATER IN TAHSIL SIRSA.

**\*1622-D. 2nd-Lieutenant Bhai Fateh Jang Singh :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that the only drinking water available to the inhabitants of villages in tahsil Sirsa, district Hissar, is that which is delivered to their ponds once a year by the Patiala State channels of the Sangtiwala and Talwandi Saboo subdivision ;
- (b) whether it is a fact that every year numerous representations are made by the villagers requesting the government departments concerned for an extra supply of water during the winter months ;
- (c) if the answer to (a) and (b) above be in the affirmative, what steps the Government is taking to satisfy the above-mentioned necessity ?

**Parliamentary Secretary (Mrs. J. A. Shah Nawaz) :** (a) Drinking water is supplied once a year to a block of villages in the Rori ilaqa of Sirsa tahsil from canals in the Patiala State.

(b) The information asked for is not readily available but no doubt representations have been made.

(c) Proposals for the improvement of water-supply in villages of Hissar district are at present under the consideration of the Superintending Engineer, Public Health Circle, Punjab, in consultation with the Superintending Engineers, Western Jumna and Sirhind Canals.

In addition to the above a scheme costing Rs. 1,46,000 for improving the rural water-supply in Hissar district has been approved by the Government to be financed from Government of India grant for Rural Reconstruction. Funds, when allotted, will be paid to the District Board, Hissar, for the purpose. A number of villages in Sirsa tahsil will be benefited by this scheme.

## CLASSIFICATION OF SARDAR BALWANT SINGH DUKHIA IN JAIL.

**\*1623. Master Kabul Singh :** Will the Honourable Minister of Finance be pleased to state whether it is a fact that Sardar Balwant Singh Dukhiya, who was sentenced some two months back to three years, is being treated in jail as a "C" class prisoner; if so, whether his social status in life was taken into consideration before deciding to treat him as a "C" class prisoner in jail?

**The Honourable Mr. Manohar Lal :** The attention of the honourable member is invited to the reply given to question No. \*1439.<sup>1</sup>

## ASSESSMENT OF GARDENS TO LAND REVENUE.

**\*1624. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that in the districts of Ferozepore, Gujranwala, Gujrat, Hissar, Jhang, Lahore, Mianwali, Multan, Sheikhupura and Sialkot the areas occupied by gardens are assessed to land revenue once a year, according to the *dastur-ul-amals* of the respective districts;
- (b) whether it is a fact that in the above-mentioned districts the areas occupied by gardens which have not begun to bear fruit are not assessed at all to land revenue;
- (c) whether it is also a fact that the areas occupied by gardens in Lyallpur, Montgomery and Khanewal tahsils of Multan district, are assessed twice a year to land revenue even if the fruit trees bear fruit once a year and even in cases where the trees have not begun to bear fruit;
- (d) if the answers to the above be in the affirmative, the reasons for the differential treatment?

**The Honourable Dr. Sir Sundar Singh Majithia :** I regret that the answer to this question is not ready.

## ASSESSMENT OF GARDENS TO LAND REVENUE.

**\*1625. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that the Executive Engineer, Khanewal Division of the Irrigation Branch of the Public Works Department, ordered on 9th April, 1932, that the garden in Chak No. 129/15-A. L. belonging to the heirs of one Ram Rakha Mal should not be exempted from land revenue assessment for even the *rabi* crop;
- (b) whether it is a fact that the occupiers of the garden mentioned above filed an appeal against this order of the Executive Engineer in the court of the Commissioner, Multan division (revenue case No. 160 of 1931-32);

- (c) whether it is a fact that the Commissioner, Multan, accepted the appeal setting aside the order of the Executive Engineer and ordered that in the Lower Bari Doab colony gardens should be shown as meant for *kharif* only and in support of his order quoted rule 14 of the *dastur-ul-amal* of the Multan district ;
- (d) whether it is a fact that notwithstanding this order the gardens in the Lower Bari Doab colony are still assessed to land revenue twice a year ; if so, the action that Government propose to take to enforce rule 14 of the *dastur-ul-amal* of Multan district in the Lower Bari Doab colony ?

**The Honourable Dr. Sir Sundar Singh Majithia :** I regret that the answer to this question is not ready.

UTILIZATION OF SHAHABAD, HANSI AND OTHER FUNDS IN AMBALA  
DIVISION.

**\*1626. Sufi Abdul Hamid Khan :** (i) Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that Rai Bahadur Atma Ram, Inspector of Schools, Ambala Division, on his transfer in 1928 left very big balances in the funds named below :—
- (1) Shahabad Fund, (2) Hansi Fund, (3) Bhiwani Fund, (4) Bahadurgarh Fund ;
- (b) whether it is also a fact that the above-mentioned funds included contributions from the public as well as local bodies ;
- (c) whether it is a fact that the said Inspector of Schools left some definite suggestions for the utilization of the above funds for the purpose for which these funds were meant ;
- (d) whether it is a fact that the balances in the funds named above were credited into Government treasury by Mr. Wilson, Inspector of Schools, in 1929 ?
- (ii) (a) If the answers to (a) to (d) above are in the affirmative, will the Honourable Minister of Education be pleased to state—
- (1) why the above-mentioned balances were not utilized for the purpose for which they were contributed ;
- (2) why the suggestions made by Mr. Atma Ram were not accepted by his successor ;
- (3) why Mr. Wilson credited the above-mentioned balances into Government treasury ;
- (4) whether the Government is now prepared to consider the question of either utilizing the balances for the purpose for which they were originally meant or refunding the amount to the public and the local bodies concerned ?

**Parliamentary Secretary (Mrs. J. A. Shah Nawaz) :** I regret that the answer to this question is not yet ready.

## REPRESENTATION RE RAVI-BEAS LINK SCHEME.

**\*1627. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Revenue be pleased to state whether he received any representation from the residents of Dhaya Beit Beas *ilaga* in district Gurdaspur regarding the contemplated Ravi-Beas Link Scheme; if so, the action taken by the Government in the matter?

**The Honourable Dr. Sir Sundar Singh Majithia :** Yes. The matter is under consideration.

**Dr. Gopi Chand Bhargava :** When can the decision be expected?

**Minister :** As early as possible.

## COMPLAINTS AGAINST SUB-INSPECTOR OF POLICE, THANA NOWSHEHRA, DISTRICT GUJRANWALA.

**\*1628. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether he has recently received any complaints against the sub-inspector of police incharge of Thana Nowshehra, district Gujranwala; if so, the result of the inquiry, if any, made in this connexion?

**Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) :** Certain complaints were made against the officiating sub-inspector in charge of the Nowshehra-Virkana police station in August and September last. Inquiries were made by the Superintendent of Police, who found that the complaints were not substantiated. The officiating sub-inspector has since been transferred.

## COMPLAINTS BY THE RESIDENTS OF SAMUNDRI AGAINST THE SUB-INSPECTOR OF POLICE, SAMUNDRI.

**\*1629. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether any representation was recently made to police authorities, Lyallpur, by certain residents of Samundri against the sub-inspector of police incharge of the local police station; if so, whether any inquiry was made on that representation; and, if so, with what result?

**Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) :** Yes. Inquiries are proceeding.

**Dr. Gopi Chand Bhargava :** When can the decision be expected?

**Parliamentary Secretary :** When the enquiries are concluded.

**Dr. Gopi Chand Bhargava :** By what time are they expected to be complete?

**Parliamentary Secretary :** I am not in a position to say just at present how long they will take.

**Dr. Gopi Chand Bhargava :** Will the honourable member please try to expedite the matter?

**Parliamentary Secretary :** Certainly. Government will expedite the matter.

RESOLUTION REGARDING NOMINATION TO MUNICIPAL COMMITTEE,  
JHANG.

**\*1630. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Public Works be pleased to state whether it is a fact that a resolution was passed by Jhang Municipal Committee on the 29th March, 1937, requesting the Government to abolish the system of nomination in that Municipality ; if so, the decision which the Government has arrived at on that resolution ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** Yes, but Government do not propose to take any action at present.

**Dr. Gopi Chand Bhargava :** Why ?

**Minister :** The matter is so important and linked up with many other questions of policy as the honourable member is aware.

**Pandit Muni Lal Kalia :** May I enquire whether similar representations or resolutions have been made by other municipalities ?

**Minister :** None, except Lyallpur, to my knowledge.

**Pandit Muni Lal Kalia :** What about Ludhiana ?

**Minister :** Not that I am aware of.

**Dr. Gopi Chand Bhargava :** When can the Government be expected to consider these questions ?

**Minister :** I am unable to say anything beyond what I have already said. It is linked up with many other questions of policy of which the honourable member is aware himself.

**Pandit Muni Lal Kalia :** When are those questions of policy to be thrashed out ?

**Minister :** It will take a very long time.

**Pandit Muni Lal Kalia :** Four or five years ?

**Minister :** It depends on communal situation and other things.

**Pandit Muni Lal Kalia :** What other circumstances except that nominations are to be removed stand in the way ?

**Minister :** Minority interests, scheduled castes, their rights, etc.

PACHOTRA TO HEADMEN OF VILLAGES TURF FATTU AND  
GHARIALA, DISTRICT LAHORE.

**\*1631. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Revenue be pleased to lay on the table a statement showing the amount of land revenue and *abiana* collected through each of the four headmen of village Turf Fat u and village Ghariala, district Lahore, and the amount of *pachotra* allowed to each of them in the years 1936-37 and 1937-38 ?

**The Honourable Dr. Sir Sundar Singh Majithia :** A statement is laid on the table.

## [Revenue Minister.]

Statement showing the amount of land revenue collected and pachotra allowed to the lambardars of Turf Fattu, village Ghariala, district Lahore, during the years 1936-37 and 1937-38.

Name of Turf and village.	Name of lambardars (headmen).	YEAR 1936-37.		YEAR 1937-38.*	
		Land Revenue collected.	Pachotra allowed.	Land Revenue collected.	Pachotra allowed.
1	2	3	4	5	6
Turf Fattu and village Ghariala.		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
	Fateh Din ..	1,359 9 3	45 5 0	3,159 9 3	45 5 0
	Ibrahim ..	1,313 8 6	45 5 0	1,313 8 6	45 5 0
	Fateh Muhammad ..	723 14 0	45 4 9	723 14 0	45 4 9
	Khan Sahib Chaudhri Ali Gohar.	327 9 9	45 4 9	327 9 9	45 4 9
	Total ..	3,724 9 6	181 3 6	3,724 9 6	181 3 6

\*The figures of demand have been given for the whole year but at present collection is being made by the lambardars for *khari* 1937 only and the demand for *rabi* 1938 is not yet due.

Statement showing the amount of abiana collected and pachotra allowed to the lambardars of Turf Fattu, village Ghariala, district Lahore, during the years 1936-37 and 1937-38.

Name of Turf and village.	Name of lambardars.	YEAR 1936-37.		YEAR 1937-38.*	
		Abiana collected.	Pachotra allowed.	Abiana collected.	Pachotra allowed.
1	2	3	4	5	6
Turf Fattu and village Ghariala.		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
	Fateh Din ..	3,729 9 0	93 0 3	2,154 7 0	49 8 0
	Ibrahim ..	4,271 4 3	93 0 3	2,225 5 0	49 7 0
	Fateh Muhammad ..	2,554 10 0	93 0 6	1,212 0 0	49 7 0
	Khan Sahib Chaudhri Ali Gohar.	1,792 2 0	92 15 6	1,000 13 0	49 7 0
	Total ..	12,347 9 3	372 0 6	6,392 9 0	197 13 0

\*The figures for *khari* 1937 only have been given; those for *rabi* 1938 are not available as the demand is not yet assessed by the Canal Department.

## RULES BY LAHORE CANTONMENT BOARD.

**\*1632. Dr. Gopi Chand Bhargava :** (i) Will the Honourable Minister for Public Works be pleased to lay on the table of the House, a copy of the rules framed by the Lahore Cantonment Board under section 44, sub-section (1) of Cantonments Act, 1924, amending Punjab Government notification No. 2727, dated 26th January, 1926, and sanctioned by the Government?

(ii) Will he also be pleased to state whether after the framing of these rules any representation was received by him from the Honorary Secretary of the All-India Cantonments Association, Lahore Cantonment, regarding the above-mentioned rules; and, if so, the action taken on that representation?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (i) Government have not yet received any such rules framed by the Lahore Cantonment Board.

(ii) A representation on the subject from the Honorary Secretary of the All-India Cantonments Association was received in October last. Consideration of it has been deferred pending receipt of the proposals from the Board.

ENQUIRY ON THE TELEGRAM SENT BY S. ATMA SINGH, PRESIDENT,  
MUNICIPAL COMMITTEE, SHEIKHUPURA.

**\*1633. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether any enquiry was ordered by the Deputy Inspector-General, Central Range, on the telegram sent by Atma Singh, President, Municipal Committee, Sheikhupura, on 20th January, 1936, to the Deputy Inspector-General, Police, Central Range, the Chief Secretary to Government, Punjab, and a demi-official letter to the Deputy Commissioner, Sheikhupura, to the effect that Gian Chand, son of Harbhagwan, caste Brahmin, resident of Sheikhupura, after arming himself with a hatchet, had made a public demonstration of his intention of killing him and that he was in search of him and that he apprehended imminent breach of peace from him and that the local police was conniving at his action; if so, the result of that enquiry and, if not, why not?

**Parliamentary Secretary** (Sardar Sahib Sardar Ujjal Singh) : Yes. The allegations in the telegram were found to be false.

**Pandit Muni Lal Kalia :** By whom was the enquiry conducted?

**Parliamentary Secretary :** By the local officers.

**Pandit Muni Lal Kalia :** By the Deputy Commissioner?

**Dr. Gopi Chand Bhargava :** By a magistrate or by police authorities?

**Parliamentary Secretary :** The Superintendent of Police made the enquiry.

**Pandit Muni Lal Kalia :** Was the complainant also called to adduce evidence in support of the allegations he had made?

**Parliamentary Secretary :** It was not necessary.

## APPLICATION OF M. MURAD KHAN.

**\*1634. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Public Works be pleased to state whether it is a fact that M. Murad Khan, candidate in the recent election from ward No. 3 of Sheikhpura Municipal Committee, applied to the Commissioner, Lahore division, not to appoint Sayad Bashir Haider, Magistrate, as presiding officer or polling officer for the said ward ; if so, whether he is prepared to lay his application on the table of the House ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** Yes. It would not be in the public interest to lay the application on the table.

**Dr. Gopi Chand Bhargava :** What was the decision taken on that application ?

**Minister :** It was considered to be one of the usual tactics of a candidate fearing defeat.

**Dr. Gopi Chand Bhargava :** What was the action taken by the Government ?

**Minister :** No action was called for.

POLLING OFFICER FOR ELECTIONS TO MUNICIPAL COMMITTEE,  
SHEIKHPURA.

**\*1635. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Public Works be pleased to state whether it is a fact that on 13th December, 1937, the date of the election of Sheikhpura Municipal Committee M. Murad Khan accompanied by S. Atma Singh, President, Sheikhpura Municipal Committee, and Chaudhri Fateh Sher, Honorary Magistrate, 2nd Class, Lahore, requested Sayad Bashir Haider, presiding officer to change certain polling officers ; if so, the action taken by him on his request ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** It is true that S. Atma Singh, President of the Municipal Committee of Sheikhpura asked Sayad Bashir Haider to change one of the polling officers. The latter informed him that the change could be made only by the deputy commissioner.

## APPLICATION OF SHRIMATI RAMESHWARI NEHRU.

**\*1636. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Revenue be pleased to state whether an application has been made to Government by one Shrimati Rameshwari Nehru on behalf of some residents of Lahore for the grant of a piece of land outside Masti Gate near Fort Lahore for a Co-operative Housing Society of Harijans ; if so, the action the Government propose to take in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** Such an application was received. But the site asked for was not considered suitable for a sweepers' colony. The Fort Lands Committee, have, however, been asked whether they are willing to set aside a suitable site for such a purpose. If

any definite proposal concerning this site comes before Government it will be duly considered.

**Dr. Gopi Chand Bhargava :** May I enquire whether this place for which an application was made is rented to sweepers at present ?

**Minister :** My honourable friend knows much more about it than myself because we have had correspondence on the subject.

**Dr. Gopi Chand Bhargava :** May I know why this site was not considered suitable ?

**Minister :** It was not considered suitable by the Fort authorities.

**Dr. Gopi Chand Bhargava :** The Fort authorities have got nothing to do with it. It is the Government.

#### ADDITIONAL POLICE POST AT DHARDEV.

**\*1637. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether it is a fact that an additional punitive police has recently been quartered in village Dhardev, district Amritsar, for a period of 3 years ; if so, reasons for doing so ?

**Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) :** An additional police post was located at village Dhardev in February, 1936. This action was necessitated by the criminal record of the village, culminating in the murder of a police officer. As has been explained in the reply to question 223<sup>1</sup> Government have recently issued orders for the withdrawal of the post.

#### PASS PERCENTAGE OF STUDENTS WHO APPEAR IN PARBHAKAR.

**\*1638. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Education be pleased to state the pass percentage of students appearing in Parbhakar (Hindi) Examinations during the last 4 years respectively ?

**Parliamentary Secretary (Mrs. J. A. Shah Nawaz) :** The pass percentage is as follows :—

Year.	Pass percentage.
1934 .. .. .	30.5
1935 .. .. .	46.6
1936 ... .. .	44.9
1937 .. .. .	37.02

#### PASS PERCENTAGE FOR PARBHAKAR EXAMINATION.

**\*1639. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Education be pleased to state whether it is a fact that a student to obtain the degree of Master of Arts in any subject has to secure 33 per cent. marks in each paper and 45 per cent. in the aggregate and that a student to be declared successful in Hindi Parbhakar examination has to secure 50 per cent. in aggregate ; if so, the reasons for this disparity in the percentages of marks required ?

**Parliamentary Secretary** (Mrs. J. A. Shah Nawaz): A student who obtains the degree of Master of Arts in any subject has to secure 45 per cent. in the aggregate and 40 per cent. in each paper excepting the Essay Paper in English for which 45 per cent. are required, and a student to be declared successful in the Hindi Parbhakar has to secure 50 per cent. in aggregate. The reason for this disparity in the percentage of marks required is that these are examinations in two different Faculties, i.e., the M.A. examination is an examination in the Arts Faculty, whereas the Hindi Parbhakar examination is in the Oriental Faculty. It is not necessary that the percentage of marks required to pass the examination in different faculties should be the same.

**Dr. Gopi Chand Bhargava**: Why is this difference in standard kept?

**Parliamentary Secretary**: It is a University question and the University is an autonomous body. But I hope the honourable member does not wish that the standard of examination should be lowered.

**Dr. Gopi Chand Bhargava**: That is not the question if you would excuse me my saying so. I want to know why the same standard is not kept up in the M.A. for English language. Why is it that a lower standard is kept there?

**Mr. Speaker**: That is not a matter within the cognisance of the Minister. The University of the Punjab is a self-governing body and the internal administration of that body is in its own power.

**Diwan Chaman Lall**: On a point of order. May I have your ruling on this very important matter? The University are functioning under an Act of this legislature.

**Parliamentary Secretary**: It is a central subject.

**Diwan Chaman Lall**: Is it because it is a central subject that honourable members feel that it is outside the purview of this Government?

**Mr. Speaker**: Under the law the University is not at all responsible to the Punjab Government. I have been allowing questions about it, because the Punjab Government gives it a very handsome annual grant and therefore I thought the members of the provincial legislature had a right to obtain information on certain matters; but, there is no doubt, that it is a self-governing body.

#### LAMBARDARS,

\*1640. **Dr. Gopi Chand Bhargava**: Will the Honourable Minister for Revenue be pleased to state whether any lambardars have been dismissed on the ground that they took active interest in Congress activities during the term of the assumption of office by the new Government?

**The Honourable Dr. Sir Sundar Singh Majithia**: The reply is in the negative.

CHANNEL OF CORRESPONDENCE BETWEEN CANTONMENT BOARDS  
AND PUNJAB GOVERNMENT.

**\*1641. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Public Works be pleased to state the channel of correspondence between the Cantonment Boards in the province and the Punjab Government ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** The channels of communication between Cantonment Boards and the Punjab Government are stated in Punjab Government letter No. 21765, dated the 13th October, 1925, a copy of which is laid on the table.

*Copy of a letter No. 21765 (Home—Mily.), dated the 13th October, 1925, from J. M. Dunnnett, Esquire, C.I.E., I.C.S., Home Secretary to Government, Punjab, to all Cantonment Authorities in the Punjab.*

**SUBJECT :—***Channels of communication between Cantonment Authorities and Government.*

I am directed to say that the Governor in Council has had under consideration the question of channels of communication between Cantonment Authorities and Government in respect of matters relating to Cantonment administration under Cantonments Act, 1924, and is pleased, after consultation with the General Officer Commanding-in-Chief of the Northern Command, to prescribe the following procedure to be observed in future.

2. The subjects which Cantonment Authorities should submit direct to Government—

- (a) the nomination of members of cantonment boards under section 14 of the Act;
- (b) the removal of members under section 34 of the Act;
- (c) business regulations made under section 44 of the Act;
- (d) control over sources of water-supply within cantonment limits under section 218 of the Act, and
- (e) the removal of a person from a cantonment under section 239 of the Act.

3. With regard to the nomination of military members under clause (c) of sub-section (1) of section 14 of the Act, I am to point out that ordinarily references should be made to Government direct, but in a case in which a member resigns his seat before the expiry of the prescribed term of office, the following procedure should be observed :—

If the resignation of the outgoing member is forwarded to the General Officer Commanding-in-Chief and the nomination of his successor is made at the same time, the nomination should also be submitted through the General Officer Commanding-in-Chief of the Command. In exceptional cases, however, a Cantonment Authority may telegraph direct to Government the resignation of an outgoing member and the nomination of his successor, but in all such cases it should be noted that an intimation should invariably be sent that the outgoing member has tendered his resignation, as no nomination of a successor can be notified unless the resignation is accepted.

4. The following matters should be submitted through the Deputy Commissioner and the Commissioner :—

- (a) Electoral Rules proposed under section 31 of the Act.
- (b) Burial grounds controlled under section 147 of the Act.

5. Proposals falling under the following heads should likewise be submitted by a Cantonment Authority to the Deputy Commissioner and the Commissioner; the latter officer instead of sending them to Government should forward them to the Command headquarters for submission to Government :—

- (a) The acquiring or renting of land beyond the limits of Cantonments or the constructing of any work beyond such limits under section 109 of the Act.
- (b) The levy of fees for the practice of trade or callings under section 210 of the Act.
- (c) Control over sources of water-supply when outside the limits of a cantonment under section 218 of the Act.
- (d) Bye-laws made under the Act.
- (e) The extension of the provisions of the Cantonments Act, 1924, to places beyond a cantonment under section 286 of the Act.

## [Minister for Public Works.]

6. Proposals regarding taxation under Chapter V of the Cantonments Act, 1924, should be submitted through the General Officer Commanding-in-Chief, but before submitting such proposals, the Cantonment Authority concerned should consult the Deputy Commissioner with particular reference to the possible effect of the proposed taxation on the arrangements of adjacent civil authorities.

7. Questions under the following heads should be submitted to Government through the Command headquarters, but copies may also be sent, if necessary, for information to the General Officer Commanding of the District :—

(a) Delimitation and alteration of cantonment boundaries made under sections 3 and 4 of the Act.

(b) Deposit of cantonment funds under section 107 of the Act.

(c) Application of the cantonment funds under sections 109 and 117 of the Act.

(d) Prevention of infectious diseases as required by section 151 of the Act.

I am to explain that these instructions have been made with a view to ensure uniformity of procedure and quickness of despatch, and the Governor in Council hopes that Cantonment Authorities will assist in carrying out these objects by a strict observance of the instructions.

#### WATER-TAX ON UNCONNECTED SHOPS AND GODOWNS IN RAWALPINDI CANTONMENT.

**\*1642. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Public Works be pleased to state whether it is a fact that the Rawalpindi Cantonment has recently proposed to levy water tax on unconnected shops and godowns : and if so, why; and whether or not the Government, Punjab, has sanctioned the proposal ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** Government have received no such proposal.

#### DELEGATION OF POWERS TO BAZAR COMMITTEES BY CANTONMENT BOARDS, RAWALPINDI, ETC.

**\*1643. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Public Works be pleased to state whether powers and duties have so far been delegated and assigned by the cantonment boards of Rawalpindi, Sialkot, Lahore, Multan, Ferozepore, Jullundur and Ambala to the bazar committees of these boards ; if so, the nature of such powers and duties ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** So far, the only boards which have delegated powers and duties to their bazar committees are those at Multan and Ferozepore. The extent of the delegations is shown in Punjab Government notifications No. 5834-H.-37/32378, dated the 14th September, 1937, and No. 7165-H.-37/44089, dated the 28th December, 1937.

#### TAXES BY CANTONMENT BOARDS IN THE PUNJAB.

**\*1644. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Public Works please state what taxes other than octroi and terminal taxes are levied by the various cantonment boards in the Punjab and at what rates ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** A statement giving the essential figures is laid on the table. For the rates of the various taxes I shall have to request the honourable member to see the Gazette notifications imposing the taxes.

Statement showing income of Cantonment Boards from taxes other than octroi or terminal tax during the year, 1936-37.

Serial No.	Name of Cantonment.	REMARKS.									
		1	2	3	4	5	6	7	8	9	10
				Tax on houses and lands.	Tax on animals and vehicles.	Tax on professions and trades.	Tolls.	Water-rate.	Conservancy (including house).	Other taxes.	
		Rs.	Ra.	Rs.	Ra.	Rs.	Ra.	Rs.	Ra.	Rs.	
1	Ambala	13,586	..	..	..	..	..	17,199	5,090	239	
2	Kasauli	14,625	..	40	..	3,873	..	9,845	5,901	1,888	
3	Dagshai	3,697	97	3,251	..	3,251	..	3,663	3,104	384	
4	Sabathu	2,397	123	2,397	..	2,528	..	2,784	3,412	308	
5	Jatogh	875	..	1,901	..	1,901	..	1,118	658	325	
6	Jullundur	6,574	847	3,430	..	3,430	..	..	11,322	..	
7	Dharamsala	112	55	795	..	795	..	638	861	..	
8	Ferozepore	29,123	580	1,836	..	1,836	..	..	12,995	..	
9	Lahore	24,775	515	..	..	..	..	21,865	29,233	..	
10	Amritsar	1,226	87	385	..	385	..	..	1,549	246	
11	Buktoh	632	114	1,506	..	1,506	..	..	1,730	64	
12	Dalhousie	3,025	126	205	..	205	..	2,331	2,272	423	
13	Sialkot	7,393	..	6,156	..	6,156	..	..	6,836	456	
14	Rawalpindi	94,196	8,431	..	..	..	..	17,674	21,497	466	
15	Murree	4,921	829	1,206	..	1,206	2,258	5,652	1,924	1,298	
16	Campbellpur	1,714	27	556	..	556	..	..	2,731	..	
17	Jhelum	2,964	226	2,542	..	2,542	..	..	2,301	..	
18	Multan	9,908	684	2,198	..	2,198	..	..	11,747	..	

SARDAR GURBAKHSH SINGH, MUNICIPAL COMMISSIONER, LUDHIANA.

**\*1644-A. Pandit Muni Lal Kalia :** Will the Honourable Finance Minister be pleased to state—

- (a) whether it is a fact that Sardar Gurbakhsh Singh, Municipal Commissioner, Ludhiana, was arrested in June last under sections 117/323, Indian Penal Code, in connection with a speech made by him in the district board election campaign in support of Sardar Mangal Singh, M.L.A. (Central) and has since been sentenced to six months' rigorous imprisonment and his appeal rejected by the sessions judge ;
- (b) whether it is a fact that in spite of requests for classifying the accused in a better class no such orders have been passed and he is being treated as an ordinary prisoner ;
- (c) what action the Government proposes to take in the matter ?

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

(b) Government have received two such requests which contained no material for considering the case. The authors of these requests have been informed that according to the rules, it is open to any convict to submit a petition for better class treatment through the superintendent of the jail in which he is confined.

(c) If Government receive any application according to the rules, it will be carefully examined.

**Pandit Muni Lal Kalia :** Is an application at all necessary in the case of a municipal commissioner ?

**Minister :** Yes.

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#### HUNGER-STRIKE BY POLITICAL PRISONERS IN LAHORE CENTRAL JAIL AND MONTGOMERY JAIL.

**\*1644-B. Sardar Hari Singh :** Will the Honourable Finance Minister be pleased to state—

- (a) whether his attention has been drawn to press reports to the effect that political prisoners in Lahore Central Jail and Montgomery Jail have started hunger-strike on the 10th January, 1938 ;
- (f) if so, whether he has made inquiries and, if so, with what result ?

**The Honourable Mr. Manohar Lal :** (a) The attention of Government has been drawn to certain press reports in regard to the hunger-strike, and Government is receiving daily reports from the jails.

(b) Eleven prisoners started a hunger-strike in Lahore Central Jail on the 11th January, 1938. Seven prisoners started a hunger-strike in Montgomery Central Jail on the 15th January, 1938.

**Sardar Hari Singh :** May I ask the Honourable Minister to state if any more prisoners have since joined them in hunger-strike ?

**Minister :** According to the most recent information I believe that one undertrial has gone on hunger-strike in the Jullundur Jail.

**Sardar Hari Singh :** May I ask the Honourable Minister to state, if he can, the present state of health of these prisoners and also state whether any of these prisoners is in a dangerous condition ?

**Minister :** I am in a position to state definitely that according to the latest report of yesterday, received to-day, the condition of health of these prisoners is reported either satisfactory or fair and there is no occasion, whatsoever, to consider the state of any prisoner as serious. I said this in answer to a similar question put by an honourable member, probably it has not reached him.

**Sardar Hari Singh :** May I ask the Honourable Minister to state how many of these prisoners are forcibly fed now ?

**Minister :** All the hunger-strike prisoners in the Lahore Jail are forcibly fed ; all similar prisoners in the Montgomery Jail are being forcibly fed and there are two prisoners in the Multan Jail, who are also forcibly fed.

**Sardar Hari Singh :** May I ask the Honourable Minister to state whether he is considering the question of issuing occasional bulletins about the health of these prisoners for public information ?

**Minister :** Government does not propose to issue any bulletins.

**Sardar Sohan Singh Josh :** What is the nature of the force used to feed these prisoners ?

**Minister :** The least measure of force in the circumstances.

**Sardar Hari Singh :** May I ask the Honourable Minister to state what steps the Government propose to take in order to make these people give up the hunger-strike ?

**Minister :** That does not arise.

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#### HUNGER-STRIKE OF COMRADE GURMUKH SINGH.

**\*1644-C. Sardar Rur Singh :** Will the Honourable Finance Minister be pleased to state—

- (a) whether it is a fact that comrade Gurmukh Singh is on hunger-strike ;
- (b) if so, the date when he went on hunger-strike and the reason why the Government have not issued any statement about the hunger-strike so far ;
- (c) whether there is any other political prisoner on hunger-strike along with comrade Gurmukh Singh in the Old Central Jail, Multan ;
- (d) the demands of the hunger-strikers ?

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

(b) 20th November, 1937. It was not considered necessary to issue any statement.

(c) Yes.

(d) To secure the unconditional release of so-called political prisoners.

**Sardar Hari Singh :** May I ask the Honourable Minister to state whether he would be prepared to consider the request of the Leader of the Opposition, if he makes one, to see the prisoners and prevail upon them to give up hunger-strike ?

**Minister :** That does not arise out of this question. The Leader of the Opposition is here ; why does he not make this request himself ?

**Sardar Rur Singh :** Is not the case of Gurmukh Singh serious ?

**Minister :** I have said that none of them is in a serious condition.

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**GURMUKH SINGH, ANDAMAN PRISONER.**

**\*1644-D. Munshi Hari Lal :** Will the Honourable Minister of Finance be pleased to state—

(a) whether it is a fact that Charat Singh, brother of Gurmukh Singh, Andaman prisoner, now repatriated to India and imprisoned in the Multan Old Central Jail, was refused permission to interview the prisoner very recently on some date in the month of January, 1938 ; if so, the reasons therefor ;

(b) whether all interviews by friends and relatives with Sardar Gurmukh Singh are stopped ?

**The Honourable Mr. Manohar Lal :** (a) Charat Singh applied for an interview on the 6th January, 1938, with convict Gurmukh Singh. This was refused as the prisoner was and is still on hunger-strike. Hunger-striking is a jail offence and when a prisoner commits a jail offence he forfeits his privileges under paragraph 550 of the Jail Manual.

(b) As long as convict Gurmukh Singh remains on hunger-strike, he forfeits any claim to his jail privileges. He will not have any interviews without the special permission of Government.

**Munshi Hari Lal :** Is the Honourable Minister aware that Charat Singh, brother of Gurmukh Singh, was seeking an interview with him in order to dissuade him from going on hunger-strike ?

**Minister :** I am not aware of that.

**Sardar Partab Singh :** Will the Honourable Minister kindly state whether those prisoners on hunger strike will be allowed an interview with their relatives who wish to dissuade them from going on hunger-strike ?

**Minister :** I do not know whether it really arises. But if the

Government are really assured that the object of those relatives is to dissuade the prisoners from continuing on hunger-strike and that they are likely to carry out and achieve that object, the Government would be prepared to consider the matter.

**Munshi Hari Lal :** Is the Honourable Minister aware that interviews were sought with Gurmukh Singh by his friends before he went on hunger-strike ?

**Minister :** I think the question relates to one Charat Singh. He was not allowed.

**Munshi Hari Lal :** I am asking a supplementary question with reference to part (b) of the question which says :—

“(b) whether all interviews by friends and relatives with Sardar Gurmukh Singh are stopped ?”

**Minister :** I think I have answered that question. During the period of his hunger-strike, he will not have any interviews asked for, unless the Government specifically decide it otherwise.

**Munshi Hari Lal :** My question is whether the Honourable Minister is aware of the fact that his friends sought an interview with him before he went on hunger strike ?

**Minister :** It does not say so at all. Has the honourable member any idea as to when he went on hunger strike ?

**Munshi Hari Lal :** A few minutes ago the Honourable Minister said that the prisoners went on hunger-strike in the month of January ; while the interview was sought in the month of November.

**Minister :** I have only a few minutes ago intimated that Gurmukh Singh went on hunger strike on the 20th November, 1937.

**Sardar Rur Singh :** Is the Government aware that I applied for an interview with Sardar Gurmukh Singh and no answer has been received as yet ?

**Minister :** When was this application made ?

**Sardar Rur Singh :** Two weeks ago.

**Minister :** It falls within the mischief of this general rule that hunger-strikers will not have any interview except under very exceptional circumstances, and with the special permission of the Government.

**Sardar Rur Singh :** I applied for an interview on the 26th December, and that application was also refused.

**Minister :** He was already on hunger-strike then ?

#### INSANITARY CONDITION IN THE NEW HOSTEL OF THE GOVERNMENT COLLEGE, LAHORE.

\*1645. **Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister of Education be pleased to state—

(a) whether it is a fact that the sanitary condition in the new hostel of the Government College, Lahore, is far from satisfactory ;

[S. S. Gurbachan Singh.]

- (b) whether it is a fact that heavy fees are charged from the students by the college authorities on account of sanitary fittings in the lavatories ;
- (c) whether it is a fact that these lavatories stink awfully and no care is taken to clean them ;
- (d) whether it is a fact that the bath rooms in the hostel are not fitted with any door and even pegs for hanging towels, etc., are not provided there ;
- (e) whether it is a fact that no arrangements for a wash exist near the rooms in the hostel and that even for very ordinary wash and cleaning the mouth, the boarders have to go all the way to the bath room which causes inconvenience to them and particularly to those living at the furthest end of the hostel ;
- (f) whether it is also a fact that the mess rooms in the hostel are kept most dirty and in an appalling condition with the result that they are seldom, if at all, used ;
- (g) if the answers to the above be in the affirmative, the action that the Government proposes to take to eradicate these defects ?

**Parliamentary Secretary** (Mrs. J. A. Shah Nawaz): (a) As soon as the Honourable Minister got notice of the question, he paid a surprise visit to the new hostel of the Government College, Lahore, and he did find that some places were not so clean as they should be ; but it is not correct to say that the general sanitary condition in the hostel is far from satisfactory.

(b) No fees are charged from students on account of sanitary fittings in the lavatories.

(c) The lavatories are supplied with flush system which the students frequently use improperly owing to ignorance and carelessness. This sometimes leads to an unpleasant smell. The lavatories, are, however, cleaned regularly twice a day by the sweepers. He found some of these water-closets unclean, but this was obviously due to the carelessness of the boys themselves.

(d) Yes. It is understood that in other colleges also doors are not provided. The matter is, however, being looked into.

(e) Yes, special arrangements are made for students who are unwell.

(f) He did not find the mess rooms as clean as they should be. He understands that food is invariably served in the dining rooms to the students.

(g) His visit showed that there was some laxity of supervision on the part of the superintendent of the hostel and steps will be taken to remove the existing defects.

**STRIKE BY MOTOR AND TAXI DRIVERS AND OWNERS ON NEW  
YEAR DAY.**

**\*1646. Sardar Hari Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether he is aware of the grievances that led to the complete province-wide strike by the motor and taxi drivers and owners on the New Year Day ;
- (b) whether Government has investigated or proposes to investigate into the grievances of the industry concerned ;
- (c) other steps proposed to be taken by the Government in the matter ?

**The Honourable Dr. Sir Sundar Singh Majithia :** The subject matter of the question was fully debated on the 14th January, 1938 on the adjournment motion in connection with this subject. No further information could be given to the honourable member.

**SEARCHES, ARRESTS, ETC., IN THE PUNJAB.**

**\*1647. Sardar Sohan Singh Josh :** Will the Honourable Premier be pleased to state—

- (a) the number of searches and arrests made in the Punjab on political grounds since the last session of the Assembly ;
- (b) the number of persons externed from the Punjab ;
- (c) the number of persons interned in the villages in the Punjab ;
- (d) the number of persons detained under the Regulation III of 1818 ?

**Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) :** (a) If the honourable member will please explain the expression 'on political grounds,' I shall be glad to furnish the required information.

- |          |                                                              |
|----------|--------------------------------------------------------------|
| (b) 6.   | } Since the last session of the Punjab Legislative Assembly. |
| (c) 2    |                                                              |
| (d) Nil. |                                                              |

I might add for honourable member's information that searches and arrests are not made on political grounds and are made only if persons transgress the law or have acted, are acting, or are about to act in a manner prejudicial to public safety or peace.

**Lala Deshbandhu Gupta :** Will the honourable member please say what he means by the expression 'political grounds' when he says that searches and arrests are not made on political grounds ?

**Parliamentary Secretary :** It is not a technical term.

## IRRIGATION RESEARCH INSTITUTE.

**\*1648. Khawaja Ghulam Samad :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the present number of Muhammadan gazetted officers in the Irrigation Research Institute, Punjab ;
- (b) the educational qualifications of the gazetted officers at present working in the said Institute ;
- (c) whether it is a fact that some of the officers in the Institute have been entrusted with such research work regarding which they have no educational qualifications or experience ;
- (d) whether it is a fact that an officer who is an M.Sc. in Chemistry, has been entrusted with the work of Hydro-Electric Research ;
- (e) whether the Government is prepared to lay on the table applications of Hindu and Muhammadan candidates who applied for the gazetted posts in the Research Institute with a statement showing their qualifications ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a), (b), (c) and (e). The honourable member is referred to reply to question No. \*1599.<sup>1</sup>

(d) No officer is employed in the department on the work of Hydro-Electric Research.

ABIANA RATES IN GURGAON AND ROHTAK DISTRICTS.

**\*1649. Chaudhri Muhammad Yasin Khan :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the *abiana* rates charged from the zamindars for canal-irrigated lands in the Gurgaon district ;
- (b) the *abiana* rates charged on canal areas in Rohtak district ;
- (c) whether it is a fact that the rates mentioned in (a) above are much higher than those mentioned in (b) ; if so, reasons for the same and whether the Government intends to make them uniform ;
- (d) whether the Gurgaon District Zamindara league brought this fact to the notice of the Government ; if so, the action taken in the matter ?

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<sup>1</sup> Pages 979—985 ante.

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) and (b).  
The *abiana* rates are given in the attached statement

(c) Some rates are higher and some lower. The *abiana* rates for the Gurgaon district, which takes water from the Agra Canal, are fixed by the United Provinces Government.

The Punjab Government has already requested the United Provinces Government to charge the Western Jumna Canal *abiana* rates in the Gurgaon district area watered from the Agra Canal, but they have declined to agree to the request.

(d) Yes. They were informed as in (c).

[Revenue Minister.]

Occupiers rates in force on the Western Jumna Canal in the Rohtak District.

Class.	Name of crops.	RATE PER ACRE.		REMARKS.
		Flow.	Lift.	
1	2	3	4	5
		Rs. A. P.	Rs. A. P.	
I ..	Sugarcane (except on <i>kharif</i> channels).	11 0 0	5 0 0	Per crop.
II ..	Sugarcane on <i>kharif</i> channels ..	9 0 0	4 8 0	Ditto.
III ..	Water nuts ..	7 8 0	3 12 0	Ditto.
III-A ..	Rice ..	6 8 0	3 4 0	Ditto.
IV ..	Indigo and other dyes, tobacco, poppy, spices and drugs.	5 8 0	2 12 0	Ditto.
IV-A ..	Cotton ..	4 8 0	2 4 0	Ditto.
V ..	Gardens and orchards and vegetables except turnips.	5 8 0	2 12 0	Garden and orchards per half year, the rest per crop.
VI ..	Barley and oats (except on <i>kharif</i> channels).	5 4 0	2 10 0	Per crop.
VI-A ..	Wheat (except on <i>kharif</i> channels)	4 4 0	2 2 0	Ditto.
VII ..	Melons, fibres (other than cotton) and all crops not otherwise specified.	5 0 0	2 8 0	Ditto.
VII-A ..	Maize ..	4 4 0	2 2 0	Ditto.
VIII ..	Oilseeds (except rabi oilseeds on <i>kharif</i> channels).	4 4 0	2 2 0	Ditto.
IX ..	Rabi oilseeds, barley and oats on <i>kharif</i> channels.	3 12 0	1 14 0	Ditto.
IX-A ..	Wheat on <i>kharif</i> channels ..	3 0 0	1 8 0	Ditto.
X ..	Bajra, gram, masur and pulses ..	3 4 0	1 10 0	Ditto.
XI ..	Jowar, cheena, grass which have received two or more waterings and all fodder crops including turnips.	2 8 0	1 4 0	Grass per half year, the rest per crop.
XII ..	(a) Watering for ploughing not followed by crop in the same or succeeding harvest.	1 0 0	0 8 0	Acre.
	(b) Village and District Board plantations—			
	(i) any number of waterings in <i>kharif</i> .	1 0 0	0 8 0	Half year.
	(ii) one watering rabi ..	1 0 0	0 8 0	Ditto.
	(iii) two or more waterings in rabi.	2 0 0	1 0 0	Ditto.
	(d) Grass—a single watering in <i>kharif</i> or rabi.	1 0 0	0 8 0	Ditto.
	NOTE.—Grass given two or more waterings falls under Class XI—Hemp, indigo, <i>guara</i> and <i>jantar</i> ploughed in as green manure before 15th September are not assessed to water rates.			

## Occupiers rates in force on the Agra Canal in the Gurgaon District.

Class.	Crops.	RATE PER ACRE.		REMARKS.
		Flow.	Lift.	
1	2	3	4	5
		Rs. A. P.	Rs. A. P.	
I ..	Sugarcane (except on <i>kharif</i> channels).	12 0 0	6 0 0	Per crop.
II ..	Sugarcane on <i>kharif</i> channels ..	10 0 0	5 0 0	Ditto.
III ..	Rice and waternuts ..	7 8 0	3 12 0	Ditto.
IV ..	Cotton, indigo and other dyes, tobacco, popy, spices and drugs.	5 8 0	2 12 0	Ditto.
V ..	Gardens, orchards and vegetables (except turnips).	5 8 0	2 12 0	Garden and orchards per half year, the rest per crop.
VI ..	Wheat, barley and oats (except on <i>kharif</i> channels).	5 4 0	2 10 0	Per crop.
VII ..	Melons, maize, fibres (other than cotton) and all crops not otherwise specified.	5 0 0	2 8 0	Ditto.
VIII ..	Oil seeds (except <i>rabi</i> oilseeds on <i>kharif</i> channels).	4 4 0	2 2 0	Ditto.
IX ..	<i>Rabi</i> oilseeds, wheat, barley and oats on <i>kharif</i> channels, field peas and beans.	3 12 0	1 14 0	Ditto.
X ..	<i>Bajra</i> , gram, masur and pulses ..	3 4 0	1 10 0	Ditto.
XI ..	<i>Jowar</i> , <i>Cheena</i> , grass which has received two or more waterings and all fodder crops including turnips.	1 8 0	0 12 0	Grass per half year the rest per crop.
	(a) Watering for ploughing not followed by a crop in the same or succeeding harvest.	1 0 0	0 8 0	Per acre.
	(c) Village or District Board plantations :—			
	(i) Any number of waterings in <i>kharif</i> .	1 0 0	0 8 0	Half year.
	(ii) One watering in <i>rabi</i> ..	1 0 0	0 8 0	Ditto.
	(iii) Two or more waterings in <i>rabi</i> .	2 0 0	1 0 0	Ditto.
	(d) Grass.—A single watering in <i>kharif</i> or <i>rabi</i> .	1 0 0	0 8 0	Ditto.
	NOTE (1) Grass given two or more waterings falls under Class XI.			
	(2) The above rates came into force with effect from the <i>kharif</i> 1930.			

**REPRESENTATIVES OF AGRICULTURAL TRIBES IN THE POLICE FORCE,  
GURGAON.**

**\*1650. Chaudhri Muhammad Yasin Khan :** Will the Honourable Premier be pleased to state—

- (a) the names of the prominent agriculturist tribes in the Gurgaon district ;
- (b) the strength of the police force in the Gurgaon district and the proportion of the members of the agriculturist tribes in the same ;
- (c) the total recruitment made in the Gurgaon district during the last three financial years and the representation given to the members of the agriculturist tribes in the same ;
- (d) whether it is a fact that the prominent agriculturist tribes in the Gurgaon district are poorly represented in the police force ; if so, the action the Government intends to take to give them adequate representation in the said police force ?

**Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) :**

(a) The honourable member will find this information in the Appendix to the Financial Commissioner's Standing Order I.

(b)

	Actual strength.	Agriculturists.	Percentage of Agriculturists.
1	2	3	4
Inspectors .. .. .	2	..	..
Sub-Inspectors .. .. .	22	15	68
Assistant Sub-Inspectors .. .. .	7	3	43
Head Constables and Constables .. .. .	523	457	87

(c) Total enlisted 108, of whom 106 were agriculturists.

(d) No.

**Lala Bhagat Ram Choda :** Will Government give the non-agriculturists representation in the police ?

**The Honourable Chaudhri Sir Chhotu Ram :** Yes, if they care to apply.

**REPORTS OF THE RESOURCES AND RETRENCHMENT AND UNEMPLOYMENT COMMITTEES.**

**\*1651. Chaudhri Muhammad Yasin Khan :** Will the Honourable Premier be pleased to state the approximate dates of the completion of the reports of—

- (a) the Resources and Retrenchment Committee ;
- (b) the Unemployment Committee ;

and the approximate time during which the Punjab Cabinet intend to give effect to the recommendations of these committees ?

**Parliamentary Secretary (Mir Maqbool Mahmood):** (a) It is not possible to state the date of the completion of the work of the Resources and Retrenchment Committee with any degree of certainty. The questionnaires on both 'Resources' and 'Retrenchment' are ready, and the various departments concerned have been addressed already with an interim questionnaire on 'Retrenchment.' The Chairman is trying to expedite the work of the Committee, but a large mass of data has had to be collected, and its consideration cannot be a rapid process.

The Unemployment Committee's report, it is expected, will be completed by the middle of April, 1938.

(b) The recommendations made by both the committees will be considered by Government as soon as they are received.

SCHEME FOR SUPPLY OF DRINKING WATER TO SOME VILLAGES  
IN GURGAON DISTRICT.

**\*1652. Chaudhri Muhammad Yasin Khan:** Will the Honourable Minister for Education be pleased to state—

- (a) whether he is aware of the fact that in many villages in the Gurgaon district water for drinking purposes is not available ;
- (b) whether the Government made arrangements for the same in some villages ; if so, whether these arrangements still exist and are being looked after. if not, why not ;
- (c) whether the Government intends to make arrangements for supplying drinking water to such villages where it is not available ;
- (d) whether it is a fact that the Punjab Government sanctioned a water supply scheme for village Nuh in district Gurgaon ; if so, when will they give effect to the same ?

**Parliamentary Secretary (Mrs. J. A. Shah Nawaz):** (a) The Government is aware that there is a scarcity of drinking water in certain areas of Gurgaon district.

(b) Since the years 1923-24, the following grants-in-aid have been given by the Sanitary Board to improve the rural water supply in the Gurgaon district :—

	Rs.
(i) For enlarging and deepening existing tanks and providing percolation wells in connection therewith in 5 villages, namely : Jodra, Bokharaka, Karaira, Basantpur and Jainpur	55,622
(ii) Trial boring at Niwana village .. Rs. 1,297 and construction of a storage tank for water supply at Kairaku village .. Rs. 8,220	9,517
(iii) Sinking of a well at village Gharat ..	400
Total ..	65,539

[Mr. J. A. Shah Nawaz.]

The District Board, Gurgaon, assumed the responsibility of maintaining these works after completion.

In addition the Rural Sanitary and Improvement Board carried out trial borings at villages Lohsinghani, Sekrauna and Bhanakpur, at a cost of Rs. 6,591 but brackish water only was struck.

No information is available whether the District Board, Gurgaon, is looking after these works. Enquiry will, however, be made in this connection now.

(c) Another scheme for sinking of new wells in 7 villages and improving the existing wells in 6 villages at an estimated cost of Rs. 8,810 is pending consideration by the Sanitary Board, Punjab.

(d) Nuh is a Notified Area Committee. During the year 1926-27 the Sanitary Board gave a cent. per cent. grant-in-aid of Rs. 1,886 for a trial boring at this place. The bore was unsuccessful. Subsequently to this another water-supply scheme for Nuh at an estimated cost of Rs. 44,015 was drawn up and finally considered by the Sanitary Board at its meeting on 22nd December, 1931.

The scheme was dropped owing to financial stringency. Since then nothing further has been heard from the Notified Area Committee in the matter.

#### DRAINAGE SCHEME FOR HIDAYATPUR CHHAONI IN GURGAON DISTRICT.

**\*1653. Chaudhri Muhammad Yasin Khan :** Will the Honourable Minister for Education be pleased to state whether it is a fact that the Punjab Government sanctioned a drainage scheme for the town of Hidayatpur Chhaoni in Gurgaon district; if so, when they intend to give effect to it?

**Parliamentary Secretary (Mrs. J. A. Shah Nawaz) :** In June, 1929, the Punjab Government sanctioned the grant-in-aid of Rs. 88,808 to the Town Committee Hidayatpur Chhaoni for its drainage scheme. It received the administrative approval of the Sanitary Board and was technically sanctioned by the Chief Engineer, Public Works Department, Buildings and Roads Branch, in September, 1930. The work could not be started as on account of the financial stringency it was decided not to disburse the sanitary grants. In 1935, however, it was suggested to the Town Committee to consider the expediency of raising a loan to meet half the cost of the scheme, including the price of land required for disposal works, as the Sanitary Board, Punjab, was not likely to be in a position to finance the entire scheme for some years. The Town Committee has apparently taken no further action in the matter.

#### REPRESENTATION OF HINDU ZAMINDARS IN THE PUNJAB UNIVERSITY EXAMINATIONS.

**\*1654. Chaudhri Sumer Singh :** Will the Honourable Minister of Education be pleased to state—

(a) the number of head examiners and sub-examiners of the Matriculation, Intermediate, B.A. and other examinations held

by the Punjab University during the past three years who belong to Hindu statutory agriculturist communities and their proportion to the total number of examiners in each case ;

- (b) whether it is a fact that the representation of Hindu statutory agriculturists amongst the examiners is very poor ; if so, the action the Government intends to take in the matter ?

**The Honourable Mian Abdul Haye :** (a) The examiners do not state in their applications whether they are Hindu statutory agriculturists or not, and there is therefore no record of the number of head examiners, and sub-examiners of the Matriculation, Intermediate, B.A., and other examinations held by this University during the past three years who belong to Hindu statutory agriculturist communities and their proportion to the total number of examiners.

- (b) Does not arise.

#### PROHIBITION.

**\*1655. Master Kabul Singh :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that the Government has decided to enforce prohibition in this province ?

**The Honourable Dr. Sir Sundar Singh Majithia :** No, but views of the deputy commissioners and commissioners have been called for.

**Pandit Muni Lal Kalia :** Have any representations or resolutions passed by various committees been received by the Government to this effect ?

**Minister :** I am not aware of any such representations. But as I have said deputy commissioners and commissioners have been asked to give their views and their reports will be considered by the Government.

**Pandit Muni Lal Kalia :** Is not the Honourable Revenue Minister aware that there is a great public awakening in the province in regard to this question ?

**Minister :** I cannot say whether there is any public awakening or not but as the question is a complicated one which affects the revenues of the province it has to be considered very carefully.

#### DEPUTATION OF RETRENCHED LABOURERS OF DHARIWAL WOOLEN MILLS.

**\*1656. Shrimati Raghbir Kaur :** Will the Honourable Minister of Development be pleased to state—

- (a) whether it is a fact that a deputation of the retrenched labourers of the Dhariwal Woollen Mills interviewed the Honourable Minister for Development to place their grievances before him ; if so, whether he promised to intervene and get the matter settled ;

[Sh. Raghbir Kaur.]

- (b) if the answer to (a) above be in the affirmative, the steps taken by him to settle the said dispute; if no steps have so far been taken, whether he intends to take any action now; if so, when; if not, why not?

**The Honourable Chaudhri Sir Chhotu Ram :** (a) Part (i) yes.

Part (ii) All that I told the deputationists was that I would invite the manager, who was expected at Lahore about that time to see me, hear the other side of the question and try to persuade him to make such concessions as I thought reasonable.

(b) The manager came to Lahore but was unable to see me because his wife was suddenly taken ill, and as it appeared from the statement of the President of the Dhariwal Workers Union issued to the press that the management of the Dhariwal Mills had been fair in the treatment of their labour, I did not pursue the matter further.

#### COMMUNAL REPRESENTATIONS IN SERVICES.

**\*1657. Mian Abdul Aziz :** Will the Honourable Premier be pleased to state whether the Government has so far been pleased to issue instructions to all the departments under it to make up the deficiency of different communities in services in accordance with the principles adopted or otherwise agreed upon with regard to communal representation in services both in regard to the number as well as emoluments allowed to the members of different communities?

**Parliamentary Secretary (Mir Maqbool Mahmood) :** A reference is invited to the reply given to question No.\*1477<sup>1</sup> on the 25th January, 1938.

**Mian Abdul Aziz :** As far as I remember that answer was not complete.

**Parliamentary Secretary :** If my honourable friend's memory fails it is no fault of mine.

**Mian Abdul Aziz :** It is yet to be seen whether my memory or that of the Parliamentary Secretary fails.

#### COMMUNAL RIOTS AND DISTURBANCES IN THE PROVINCE.

**\*1658. Mian Abdul Aziz :** Will the Honourable Premier be pleased to state—

- (a) the number of communal riots or disturbances that have taken place in the province since the announcement of the new Ministry in the last week of March, 1937 up to the 31st of December, 1937;
- (b) the places at which such riots and disturbances had taken place;
- (c) the places at which such disturbances had taken place more than once;
- (d) the number of men community-wise injured or killed at each of these places during such disturbances;

- (e) the number of cases of criminal nature including those under section 107, Criminal Procedure Code, challaned together with the number of accused persons community-wise in each such case ;
- (f) the number of convictions community-wise in each case together with the sentences passed and the offences the persons convicted were found guilty of ;
- (g) the number of cases withdrawn with the number of persons community-wise involved in such cases ?

**Parliamentary Secretary** (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : (a), (b) and (c) As the honourable member variously uses the words "communal riots and disturbances," "communal riots or disturbances," "such disturbances," etc., the significance of the word "disturbances" is not clear. If it denotes 'riots,' the attention of the honourable member is invited to the answer to part (a) of Question No. \*946<sup>1</sup>. The only riot reported during the last week of March, 1937, was that at Panipat in the Karnal district on the 27th of that month. Two riots were reported from Amritsar only during the period under question.

(d), (e), (f) and (g). It would not be in the public interest to collect and publish this information.

**Khawaja Ghulam Samad** : In view of the riots in Panipat last year, has the Government taken any steps to prevent such riots recurring in future especially when the Holi festival is drawing near ?

**Parliamentary Secretary** : I have already replied that Government has issued instructions to the local authorities all over the province. As regards this particular incident I require notice.

**Sardar Sohan Singh Josh** : What has become of the Unity Conference which was established to stop these riots ?

**Mr. Speaker** : Order, order, this question does not arise from the answer.

**Diwan Chaman Lall** : Has the honourable member got any substantial reasons that the disclosure of names and the number of cases would not be in the public interest ?

**Parliamentary Secretary** : On account of the communal situation prevailing in the country.

**Diwan Chaman Lall** : Is the honourable member aware that the disclosure of names and the number of cases would effectively make the matter clear to the public and prevent such incidents in future ?

**Parliamentary Secretary** : I have already stated the other day that it will not be in the public interest to give that information.

**Diwan Chaman Lall** : Are there any other reasons for not giving this information ?

**Parliamentary Secretary** : None.

**Lala Deshbandhu Gupta :** May I know if there are any cases still pending—cases relating to the last riot at Panipat?

**Parliamentary Secretary :** This does not arise out of this question.

**Khawaja Ghulam Samad :** Has the Government received any representation from Hindus and Muslims of Panipat to take steps to prevent any disturbance during the coming Holi festival?

**Parliamentary Secretary :** I have already requested the honourable member to give me notice of that question.

**Mian Adbul Aziz :** Did the honourable member consult any dictionary or any lawyer to understand what I meant by the words “communal riots or disturbances” and “communal riots and disturbances”?

**Parliamentary Secretary :** The expressions as used by the honourable member are confusing.

**Mian Abdul Aziz :** The honourable Parliamentary Secretary says that it is not in the public interest to disclose this information. Is he prepared to give me that information confidentially and privately?

**Mr. Speaker :** The answer given is that it is not in the public interest to disclose certain names. Now the honourable member wants to know those names only for his own information. Are not the other honourable members entitled to know those names? So, I think he should not have asked whether the Parliamentary Secretary would be prepared to give him that information confidentially. He could ask for that information privately but not here.

#### MOTOR TRAFFIC ON PATHANKOT-DALHOUSIE ROAD.

**\*1659. Mian Abdul Aziz :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact—

- (a) that 5 motor transport companies, owned by private individuals, have been granted licences by the district authorities concerned to ply motors on hire between Pathankot and Dalhousie; if so, whether any rates for carrying passengers were fixed while granting the licences;
- (b) that these companies have created a practical monopoly for themselves and have pooled together and have begun to charge exorbitant rates, i.e., Rs. 6 per seat in a car or Rs. 24 for four seats, Rs. 4 per seat in a bus, and Rs. 3-8-0 and Rs. 2-12-0 respectively for each front and back seat in a lorry;
- (c) that these charges are higher for a practical distance of 50 miles and 3 furlongs than the charges on the Kalka-Simla line for a distance of 60 miles where usually full car can be had for Rs. 10 and also on Rawalpindi-Murree road where rates are still lower;
- (d) that most of the cars and lorries owned by these companies which run on Pathankot-Dalhousie road are in a rotten condition, and are dangerous from the public point of view; if so, the action proposed to be taken in the matter;

- (e) that one of the companies under contract with the North-Western Railway is actually paying at the rate of Re. 1 and Re. 0-8-6 per car or lorry seat respectively to other companies from Pathankot to Dalhousie ;
- (f) that certain other persons or companies had also applied for the grant of licences to ply motors on hire on this road and had offered much lower rates but that their applications were refused ; if so, why ;
- (g) what action Government intends to take on the above facts ?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes. Maximum fares have been prescribed by the District Magistrate, Gurdaspur, under rule 59 of the Punjab Motor Vehicles Rules, 1931.

(b) The companies concerned are believed to have formed a Union known as the Pathankote-Dalhousie Road Association, but the fares now charged are not greater than the maxima.

(c) Yes.

(d) No. All vehicles undergo the regular periodical inspections required by the rules. None of them was involved in any accident during the year 1937.

(e) Yes.

(f) Applications from other owners have been received. These have not yet been finally rejected, and are still under consideration.

(g) The District Magistrate, Gurdaspur, proposes to hold a conference on the 2nd of February in order to examine the position, with a view to finding ways by which the efficiency of the service may be increased.

#### EXPENDITURE INCURRED ON ALLOWANCES TO MINISTERS AND PARLIAMENTARY SECRETARIES.

**\*1660. Mian Abdul Aziz :** Will the Honourable Premier be pleased to state—

- (a) the total expenditure from 1st April, 1937, to 31st December, 1937, incurred by the Government on account of travelling allowance and other allowances to the Honourable Ministers including the Honourable Premier ;
- (b) the monthly expenditure on the personal staff of the Honourable Ministers ;
- (c) the total amount paid to 16 parliamentary secretaries and parliamentary private secretaries to the Honourable Premier and other Honourable Ministers on account of their pay and other allowances ?

**Parliamentary Secretary (Mir Maqbool Mahmood) :** (a) A statement is laid on the table.

(b) Rs. 3,181-5-0.

[Mir Maqbool Mahmood.]

(c) As regards pay a reference is invited to the reply given to part (b) of question No. \*1478. The only other allowance drawn by the parliamentary secretaries is travelling allowance which amounts to Rs. 997.

**Lala Deshbandu Gupta :** In view of the fact that the figures of allowances are rather high, do Government propose to revise the scales ?

(Voices : That is a matter of opinion.)

*Statement showing the expenditure incurred on account of travelling and other allowances drawn by the Honourable Premier and the Honourable Ministers from 1st April to 31st December, 1937.*

Travelling allowance—

					Rs.	A.	P.
April 1937	..	..	..	..	1,777	8	0
May 1937	..	..	..	..	2,224	3	0
June 1937	..	..	..	..	280	5	0
July 1937	..	..	..	..	Nil.		
August 1937	..	..	..	..	3,908	4	0
September 1937	..	..	..	..	1,976	4	0
October 1937	..	..	..	..	3,173	14	0
November 1937	..	..	..	..	2,560	5	0
December 1937	..	..	..	..	1,572	0	0
Total					17,472	11	0

No other allowance besides house rent allowance has been drawn by the Honourable Ministers or Premier.

EXPENDITURE INCURRED ON ALLOWANCES TO THE MEMBERS  
AND THE STAFF OF THE ASSEMBLY.

**\*1661. Mian Abdul Aziz :** Will the Honourable Premier be pleased to state—

- (a) the total amount of expenditure including travelling, daily and other allowances incurred by the Government on all the members of the Punjab Assembly during the session held at Simla in the months of June and July last ;
- (b) the total amount of expenditure incurred by the Government in the form of travelling allowances of the Honourable Speaker, the Deputy Speaker, the Secretary, the Assistant Secretary and the establishment of the Assembly office during the last Assembly session at Simla ;
- (c) the total expenditure incurred on account of the daily and travelling allowances to the Ministers' personal staff including the menial staff ?

**Parliamentary Secretary** (Mir Maqbool Mahmood) : (a) Rs. 1,81,849.

(b) Rs. 14,859-7-0.

(c) Nil.

## COTTAGE INDUSTRIES.

**\*1662. Mian Abdul Aziz :** Will the Honourable Minister for Development be pleased to state what practical steps have so far been taken by him to introduce and popularize cottage industries and other small industries in the province?

**The Honourable Chaudhri Sir Chhotu Ram :** The honourable member's attention is invited to the 'Note on the progress of Industries Department, Punjab, dated the 24th February, 1937', placed on the table in reply to question No. \*491<sup>2</sup>, asked at the last session of the Punjab Legislative Assembly by Lieutenant Sodhi Harnam Singh, and to the reply given to question No. \*828<sup>3</sup>, asked by Chaudhri Muhammad Hasan during the current session of the Assembly.

**Mian Abdul Aziz :** The reference made by the Honourable Minister relates to the time before the present Ministry came into office. My question really is what development has taken place since the present Ministry has come into office?

**Minister :** The honourable member does not seem to have heard what I said.

## BOARD FOR SUPERVISION, ETC., OF ALL-INDIA EXHIBITION.

**\*1663. Mian Abdul Aziz :** (i) Will the Honourable Minister for Development kindly lay on the table of the House a list of all Government officers and other non-officials who partook or were otherwise nominated by the Government to supervise or manage the construction, development, and inauguration of the present All-India Exhibition at Lahore?

(ii) Will he also be pleased to state—

(a) the authority who selected or nominated these persons on the board so set up for the management and supervision of the said exhibition;

(b) whether any written suggestion had been made to him by a member of the Punjab Assembly for co-opting the members of the Board of Industries with the said Exhibition Board; if so, the action taken on that suggestion and whether any acknowledgment of his letter making the suggestions had been sent to the member in question?

**The Honourable Chaudhri Sir Chhotu Ram :** (i) A list of the members of the General Committee of the All-India Exhibition is placed on the table.

(ii) (a) Government.

(b) I remember having received a letter in terms stated in the question. I must have sent it on to the office in due course. But it is greatly regretted that the letter was obviously mislaid and is not traceable. No acknowledgment appears to have been made which is, again, regretted.

<sup>1</sup> Kept in the Library.

<sup>2</sup> Vol. I, Page 1548.

<sup>3</sup> Pages 112—13 ante.

## [Development Minister.]

*Members of General Committee of the Exhibition.*

CHAIRMAN :—The Honourable Minister of Development.

SECRETARY :—Director of Industries.

*Members : Officials and general.*

1. Deputy Commissioner, Lahore.
2. Superintendent of Police, Lahore.
3. Director of Agriculture, Punjab.
4. Mr. F. L. Brayne, Commissioner, Rural Reconstruction.
5. Dr. S. S. Bhatnagar, Chemical Laboratories, Lahore.

*Non-Officials.*

6. Khan Bahadur Nawab Fazal Ali.
7. Diwan Bahadur Raja Narendra Nath.
8. Professor W. Roberts, C. I. E.
9. Khan Bahadur Sardar Habib Ullah.
10. Rai Bahadur Sardar Baisakha Singh, M.L.A.
11. Khan Bahadur Mian Ahmad Yar Khan Daulatana.
12. Sardar Sahib Sardar Ujjal Singh, M.L.A.
13. The Honourable Rai Bahadur Ramsaran Dass, M.C.S.
14. Shaikh Sadiq Hassan of Amritsar.
15. Rai Bahadur Panna Lal of Ambala.
16. Mr. Taylor of Amritsar.
17. Lala Siri Ram of Delhi.
18. Nawab Sir Muhammad Hayat Khan.
19. Dr. A. Wahid, Ph. D., of "Eastern Times".
20. Sardar Bahadur Kartar Singh of Lahore.
21. Bawa Dinga Singh of Lahore.
22. Rai Bahadur Binda Saran, M.L.A.
23. Khan Bahadur Syed Muratib Ali Shah, C.I.E.
24. Khan Muhammad Shah Nawaz, Nawab of Mamdot, M.L.A.
25. Tikka Jagjit Singh of Jullundur.
26. Rai Sahib Lala Janki Dass of Lahore.
27. Rai Sahib Lala Sohan Lal of Lahore.
28. Khan Sahib Chaudhri Abdul Karim, Honorary Magistrate.
29. Mian Abdul Aziz of Mozang.
30. Mr. J. C. F. Davidson of Bird and Company.
31. Sardar Sahib Sardar Sampuran Singh Chawla.
32. Mr. L. Hudson of Messrs. Ferguson and Company.
33. Mr. P. H. Guest of Jallo Rosin and Turpentine.
34. Rai Bahadur Balak Ram Pandya.
35. Mr. Fairley.

**LAHORE HIGH COURT JUDGMENT IN CASE MR. B. A. MALAK *versus*  
LAHORE MUNICIPAL COMMITTEE.**

**\*1664. Mian Abdul Aziz :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether the Government is aware of the Lahore High Court judgment in case Mr. B. A. Malak *versus* Lahore Municipal Committee and the Executive Officer ;

- (b) the total liability to be met by the Lahore Municipality in pursuance of the final decree passed by the High Court ;
- (c) the amount of interest claimed by Mr. B. A. Malak on the arrears of his pay, etc.;
- (d) the total amount of costs payable to Mr. B. A. Malak together with the total amount of costs incurred by the Lahore Municipality in the said case ;
- (e) the amount of set off claimed at the instance of the Executive Officer together with the amount of court-fee affixed on this claim with the sanction of the Executive Officer ;
- (f) the total amount of adjournment costs awarded by the lower court against the Lahore Municipality ;
- (g) the amount of court-fee affixed on appeal by the Lahore Municipality ;
- (h) whether an appeal had been lodged by the Lahore Municipality against the total decretal amount of Rs. 5,855-4-0 ;
- (i) if the reply to (h) above be in the affirmative, the circumstances under which court-fee had been affixed on the full amount including the sum of Rs. 2,920-2-0 which had already been admitted both on behalf of the Executive Officer and the committee ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) Yes.

(b) Rs. 13,909-11-0.

(c) Rs. 928-12-0.

(d) Total cost payable to Mr. Malak, Rs. 1,173.

Total cost incurred by the Municipality, Rs. 1,856-10-0.

(e) Amount of set off claimed, Rs. 894.

Amount of court fees, Rs. 101-4-0.

(f) Rs. 46-2-0.

(g) Rs. 457-8-0.

(h) Yes.

(i) As the appeal was filed against the entire decree the court fee on the decretal amount was affixed. The amount of Rs. 2,920-2-0 was not admitted by either defendants as being due to plaintiff.

**Mian Abdul Aziz :** Does the Government intend to take any action for filing such an appeal on which exorbitant amount was spent ? Will this amount be realised from the man who actually advised to file the appeal ?

**Minister :** The litigation started at the time the last Government was in office. The present Government does not intend to take any action.

**Munshi Hari Lal :** Is not the present Government successor of the old ?

**Minister :** Yes.

**Mian Abdul Aziz :** Since the Lahore Municipality has been sued by another officer on the same grounds, would it not be advisable to effect a compromise to save the Lahore rate-payers from further expenditure ?

**Minister :** It is a very vague question. Unless the honourable member makes it clear, I am unable to give a reply.

**Mian Abdul Aziz :** A similar suit like that of Mr. B. A. Malak has been filed by Chaudhri Muhammad Sharif.

**Minister :** Does it arise out of this question ? (*Interruption*).

**Pandit Muni Lal Kalia :** May I ask whether the money spent was not waste of municipal funds ?

**Minister :** In litigation one side has got to lose.

**Pandit Muni Lal Kalia :** In the light of your answer that the previous Government had done it, is it not a fact that the municipal committee wasted the funds ?

**Minister :** One side has to waste in litigation, otherwise people like my honourable friend would not flourish.

#### BUILDING AND LAY OUT PLANS REJECTED BY LAHORE MUNICIPALITY.

**\*1665. Mian Abdul Aziz :** Will the Honourable Minister for Public Works kindly state—

- (a) whether it is a fact that several building and lay out plans passed by the Lahore Municipal Committee before its supersession were subsequently suspended by the Deputy Commissioner and the Commissioner, Lahore Division, without assigning any reasons ; if so, what was the precise object underlying such suspensions and under what provision of law these plans had been suspended ;
- (b) whether the suspension of these plans is interconnected with the Town Planning Scheme of Lahore under contemplation ;
- (c) the approximate period the town planning scheme will take to mature and the stage it has now reached ;
- (d) whether the Government is aware of a good deal of resentment prevailing among the citizens of Lahore as a result of wholesale rejection of plans and in consequence of prolonged procrastination on the part of the authorities concerned in the matter ; if so, the action proposed to be taken in the matter ?
- (e) the number of building plans now pending ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) Several so-called layout plan passed by the late Municipal Committee of Lahore were suspended by the Deputy Commissioner of Lahore under section 282 of the Punjab Municipal Act, on the ground that the so-called layout plans were in fact schemes under section 192 of the Punjab Municipal Act which the committee had no power to sanction. The municipal committee was given an opportunity of offering explanations against the orders of suspension but it generally failed to do so within the period

allowed by the deputy commissioner. The commissioner agreed with the deputy commissioner that the action of the committee was in excess of the power conferred on it by law and therefore confirmed the orders of suspension.

(b) It is not known what the honourable member means by "the Town Planning Scheme" of Lahore. Several town-planning schemes for different areas in Lahore have received the sanction of Government under section 192 of the Municipal Act and many other schemes are under preparation.

(c) It is difficult to state the approximate date by which all town planning schemes now under preparation will be completed, but every effort is being made by the commissioner and the Lahore Improvement Trust to dispose of all pending schemes as early as possible.

(d) Government is aware that the failure of the late Municipal Committee of Lahore to prepare building schemes and town-planning schemes as required of the committee by section 192 of the Act has caused some inconvenience to the general public but since the supersession of the committee and the establishment of the Lahore Improvement Trust considerable progress has been made and many schemes have received the sanction of Government.

(e) If the words "building plans" refer to schemes under section 192 of the Act the number at present under preparation in Lahore is a little over 200.

**Mian Abdul Aziz :** Will the Honourable Minister for Public Works kindly tell me whether since the supersession of the Municipal Committee in Lahore only seventeen schemes of an area of four or five kanals each have been prepared at a cost of nearly a lakh of rupees?

**Minister :** May I ask to what particular scheme is the honourable member referring?

**Mian Abdul Aziz :** I am referring to the schemes in the Lahore municipal area.

**Minister :** There are building schemes, there are town planning schemes, would you specify please to what schemes you are referring?

**Mian Abdul Aziz :** Well, I would say for instance, the Misri Shah scheme.

**Minister :** It does not come under any category of schemes except that the honourable member may be interested in a particular area.

**Mian Abdul Aziz :** I am interested in the whole of Lahore. I represent Lahore. (*Loud applause*). Please do not cast aspersions.

**Minister :** I did not mean any aspersion at all. One is interested generally in all areas of a town and particularly in some.

**Mian Abdul Aziz :** I have requested the Honourable Minister to kindly let me know whether he knows that one Misri Shah scheme was prepared?

**Minister :** Which sort of scheme do you mean? Misri Shah may have a town planning scheme, or it may have a building scheme.

**Mian Abdul Aziz :** Town planning scheme, please.

**Minister :** I will furnish the reply if the honourable member will kindly give me notice. (*Laughter*).

**Mr. Speaker :** The honourable member said that he represented Lahore. But I may point out that every member of this House represents not only the constituency by which he was returned, but that he represents the whole province. (*Hear, hear*).

**Rai Bahadur Lala Binda Saran :** Will the Honourable Minister please state the maximum area proposed for houses by Town Planner ?

**Minister :** If I am given notice, I will supply the information.

#### SEPARATE MUNICIPAL ACT FOR THE TOWN OF LAHORE.

**\*1666. Mian Abdul Aziz :** Will the Honourable Minister for Public Works kindly state whether any practical steps have so far been taken by the Government to implement the recommendation of the Dobson Inquiry Committee for the provision of a separate Municipal Act for the town of Lahore ; if not, why not, and whether Government propose to introduce such a Bill in the near future ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** The question as to what form of municipal administration is most suitable for Lahore and whether it is desirable to introduce special legislation is under the consideration of Government.

#### INTRODUCTION OF SYSTEM OF ELECTION IN DALHOUSIE MUNICIPAL COMMITTEE.

**\*1667. Mian Abdul Aziz :** Will the Honourable Minister of Public Works kindly state whether he has considered the question of filling up the majority of the seats on the Dalhousie Municipal Committee by election instead of by nomination as is being done at present ; if so, with what result ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** The question has not been so far considered.

#### CHANGE IN THE COURSE OF THE RIVER RAVI.

**\*1668. Mian Abdul Aziz :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether he is aware of the fact that the river Ravi is rapidly changing its course towards the Lahore city near the places where Sanda and Sant Nagar are situated ;
- (b) whether it is a fact that the river Ravi has already washed away several hundred acres of good agricultural land and also 3 villages during the last 3 years ;
- (c) whether it is a fact that the matter has already been brought to the notice of the Deputy Commissioner, Lahore, who is also the chairman of the District Board, Lahore, by means of several representations made to him ;

- (d) whether it is a fact that during the last rainy season as well as lately the attitude of the river has been very threatening to the lives and crops of the inhabitants living in its vicinity of the said river ;
- (e) whether it is a fact that the construction of a dam near Sanda was proposed for which the survey is already complete ;
- (f) whether it is a fact that the people of the *ilaga* during the last winter have spent nearly Rs. 5,000 in digging up a channel under the advice of the Deputy Commissioner, Lahore, in order to divert the flow of the river towards the old course, but without any positive results ;
- (g) what action Government propose to take in the matter ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) Though it is not yet possible to give a definite opinion it appears that the Ravi is so changing its course.

(b) Yes, about 146 acres of agricultural land have been washed away during the last three years, but about half of this has since been reclaimed.

(c) Yes.

(d) There was no serious threat in 1937.

(e) The survey has been completed.

(f) Government have no information.

(g) The results of the survey are under consideration.

#### OVERHAULING OF PRIMARY EDUCATION.

**\*1669. Mian Abdul Aziz :** Will the Honourable Minister of Education be pleased to state—

- (a) whether Government is aware of the fact that the system of primary education at present obtaining in the province is defective and unsuitable ; if so, the steps that have so far been taken to overhaul it ;
- (b) whether any committee consisting of educationists has so far been set up by Government to consider this question ; if so, the names of the members on this committee together with the authority appointing them ;
- (c) the maximum period that the said committee is expected to take to submit its final report to Government ?

**The Honourable Mian Abdul Haye :** The honourable member's attention is invited to the reply to question No. \*1264<sup>1</sup> asked by Lala Duni Chand.

## IMPROVEMENT MADE FOR FEMALE EDUCATION.

**\*1670. Mian Abdul Aziz :** Will the Honourable Minister of Education be pleased to state whether any action has so far been taken to implement the recommendation, including the recommendation for the improvement of female education, made by the Punjab University Enquiry Committee appointed by the Punjab Government in October, 1932; if not, when it is proposed to implement these recommendations?

**The Honourable Mian Abdul Haye :** The recommendations made by the Punjab University Enquiry Committee are under consideration, and it is not possible at this stage to forecast the result.

## REPORT OF INSPECTOR OF LOCAL BODIES.

**\*1671. Mian Abdul Aziz :** Will the Honourable Minister for Public Works kindly refer to his reply to my starred question No. 287<sup>1</sup> put on 5th July, 1937, and state—

- (a) whether the report of the inspector of local bodies on the basis of which the Lahore Municipal Committee is stated to have been superseded, was made available to the said committee before its supersession and whether the Lahore Municipal Committee was called upon to explain the irregularities and illegalities pointed out in the report and also whether the members of the committee adversely criticised in the report were afforded an opportunity to explain their conduct, if not, why not;
- (b) whether a copy of the inspector's report referred to above will be laid on the table of the House?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) No. The late Ministry did not deem it necessary to do so.

(b) The report is voluminous comprising 346 typed pages. Considerable time and labour would be involved to have it copied but I shall be glad to show it to any honourable member desiring to see it.

## ADJUSTMENT OF THE SURPLUS AMOUNT REALIZED FROM MUNICIPALITIES IN LAHORE AND MULTAN DIVISIONS.

**\*1672. Mian Abdul Aziz :** Will the Honourable Minister of Public Works kindly refer to his reply to part (a) of my starred question No. 287<sup>1</sup> put on 5th July, 1937, and state—

- (a) whether the amount of surplus realized by the Government in excess of the actual requirements from the municipalities situated in Lahore and Multan divisions, has since been adjusted;
- (b) if reply to (a) above be in the affirmative, the manner in which and the authority on whose initiative or recommendation the adjustments in question have been made?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) The figures of income and expenditure given in reply to part (a) of question No. 287<sup>1</sup> were further examined and it was found that the total expenditure for the years 1935-36 and 1936-37 was

Rs. 50,685. Against this amount a demand of Rs. 58,071 has been made out of which Rs. 84,152 have actually been recovered so far. When the whole amount has been recovered there will be an excess of Rs. 7,437 for the two years. It is proposed to review the position after the scheme has been in operation for three years. The question of refunding the excess amount, if any, will then be considered and it will be decided whether the rate of contributions now levied should be reduced according to the expenditure.

(b) Does not arise.

#### BUILDING PLANS OF HOUSES TO BE BUILT AT LAHORE.

**\*1673. Mian Abdul Aziz :** Will the Honourable Minister of Public Works kindly refer to his reply to my starred question No. 290<sup>1</sup> put on 5th July, 1937, and state whether the information asked for therein is now available?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** The final reply to starred question No. 290<sup>1</sup> was forwarded to the honourable member on the 27th September, 1937. A copy of it is laid on the table<sup>1</sup>.

#### DECISION ON PETITIONS BY DISCHARGED EMPLOYEES OF MUNICIPAL COMMITTEE, LAHORE.

**\*1674. Mian Abdul Aziz :** Will the Honourable Minister for Public Works be pleased to refer to his reply to part (d) of starred question No. 471<sup>2</sup> put on 16th July, 1937, and state—

- (a) whether the petitions submitted by the discharged employees of the Lahore Municipal Committee in March, 1937, have since been disposed of by the Ministry of Public Works finally; if not, when these petitions are expected to be finally disposed of;
- (b) whether the opinion of the Legal Remembrancer to Punjab Government had also been obtained in regard to these petitions;
- (c) whether any note of remarks were made by the Honourable Minister for Local Self-Government, Punjab, on the above cases in March last; if so, whether he will be pleased to lay a copy thereof on the table of the House?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) The petitions are under consideration but it is difficult to say when these will be disposed of.

(b) Yes.

(c) Yes, but it is regretted that as Secretariat notes are confidential a copy of the note in question cannot be laid on the table.

<sup>1</sup> Vol. I, pages 931-33 and Appendix, pages vi-vii.

<sup>2</sup> Vol. I, page 1537.

APPEALS BY DISCHARGED EMPLOYEES OF LAHORE MUNICIPAL  
COMMITTEE.

**\*1675. Mian Abdul Aziz :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that the municipal employees discharged by the Administrator of the Lahore Municipality in October and November, 1936, some time ago filed appeals to the Commissioner, Lahore division, against the order discharging such employees ;
- (b) whether it is also a fact that the Commissioner, Lahore division, on 23rd December, 1936, and 22nd January, 1937, called for the relevant records of the cases from the Lahore Municipality and also invited the Administrator of the municipality to comment on the grounds of appeals ;
- (c) if reply to (b) above be in the affirmative, whether the Government will be pleased to place a copy of the Administrator's comment on the table of the House ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) Yes.

(b) and (c) Yes : the order of the Commissioner asking for the comments of the Administrator is dated the 10th December, 1936. The Administrator did not make any comments on the grounds of the appeals as he submitted that the appeals did not lie.

RE-INSTATEMENT OF SIX TEACHERS OF PIND DADAN KHAN  
MUNICIPALITY.

**\*1676. Mian Abdul Aziz :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the circumstances under which six municipal board teachers holding permanent substantive appointments were discharged by the Administrator of the Pind Dadan Khan Municipality in April, May, 1933 ;
- (b) the circumstances under which the Punjab Government (Ministry of Local Self-Government) ordered the re-instatement of all the teachers so discharged ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) and (b) The Administrator of the Pind Dadan Khan Municipality discharged the teachers in order to effect economy. It was, however, held that their case was really one of dismissal and the procedure for the dismissal of municipal employees had not been followed. The Administrator was accordingly asked to re-instate them.

PRINCIPLE OBSERVED BY ADMINISTRATOR, LAHORE MUNICIPALITY,  
IN DISCHARGING ITS EMPLOYEES.

**\*1677. Mian Abdul Aziz :** Will the Honourable Minister for Public Works be pleased to state the number, names, official, designation pay and

length of service of municipal employees holding permanent substantive appointments, discharged by the Administrator of the Lahore Municipality soon after his taking over charge on 28th October, 1936, and the principle observed by him in selecting these persons for discharge?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** A statement giving the required information is laid on the table. The principle observed in selecting these officials for discharge was that their retention in the service of the Municipality was considered to be undesirable.

*Statement.*

Serial No.	Name.	Designation.	Pay.	Length of service.	
1	2	3	4	5	
			Rs.	Y.	M.
1	M. Riaz Ali ..	Personal Assistant to President.	125	10	8
2	M. Ramsaran Das ..	Assistant Despatcher ..	75	15	10
3	M. Umar Din ..	Sub-Overseer ..	60	12	4
4	M. Muhammad Sadiq ..	Head Vernacular Record Keeper.	73	10	8
5	Lala Harbans Lal ..	Building Inspector ..	69	4	1
6	Lala Hukam Chand ..	Superintendent, Distribution (Water).	130	12	4
7	M. Shah Muhammad ..	Assistant Accountant ..	119	17	8
8	Mr. Tej Nath Sharma ..	Sanitary Inspector ..	76	8	0
9	M. Fazal Huseain ..	Head Draftsman ..	125	17	9
10	Q. Abdul Latif ..	Office Superintendent ..	330	14	8

**OFFICIAL RECEIVER AT JHANG.**

**\*1678. Syed Mubarik Ali Shah :** Will the Honourable Minister for Finance be pleased to state whether it is a fact that the question of filling up the vacancy of the Official Receiver at Jhang, which has been previously held by a Hindu, is at present under the consideration of the Government; if so, whether Government intends to consider the claims of a Muslim while making this appointment, particularly in view of the request made last time by the Jhang District Muslim League as well as by the general zamindars and Muslim public of the locality?

**The Honourable Mr. Manohar Lal :** Yes. Government have not yet examined the claims of the various applicants for the appointment and no pronouncement can be made at this stage.

#### INSTALLING WATER METERS IN LAHORE CITY.

**\*1679. Begum Rashida Latif Baji :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the estimate of expenditure made by the Administrator, Lahore Municipality, for installing water meters in the city ;
- (b) the addition which the municipality expects in its water tax from the proposed meter system ;
- (c) whether at the time of making the estimate the Administrator took into account this fact that owing to increased expenses a large number of the middle class persons will close down their taps ;
- (d) whether these meters can be had from any Indian factory ; if so, whether order for these meters is intended to be placed with the same ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) Rupees ten lakhs roughly.

- (b) Anything between three and five lakhs of rupees per annum.
- (c) No. This contingency is not likely to arise.
- (d) No.

#### COMPENSATION TO PERSONS WHO ARE REQUIRED TO LEAVE PORTIONS OF THEIR SITES FOR ROADS BY LAHORE IMPROVEMENT TRUST.

**\*1680. Begum Rashida Latif Baji :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether in the new *abadis* the Lahore Improvement Trust is forcing the owners of small pieces of land where no construction has taken place to leave a sufficient area for roads and kuchas ;
- (b) whether the Lahore Improvement Trust will give any compensation to the owners of lands for the area which they are being compelled to leave for roads and kuchas ;
- (c) if the answer to part (b) above be in the affirmative, the basis on which the compensation will be given, and if the answer be in the negative, whether this fact has been taken into consideration that the owners of small pieces of land will be caused unbearable losses ;
- (d) whether it is a fact that in some cases after leaving a sufficient area for roads and kuchas the remaining piece becomes too small for any construction according to the Improvement Trust Schedule ;

- (e) if the answer to part (d) be in the affirmative, whether the Improvement Trust is prepared to compensate the owners for the whole piece of land ;
- (f) whether it is a fact that owing to this scheme of the Improvement Trust the house building plans are not sanctioned and the construction work in respect of houses is at a stand-still ;
- (g) whether the Government is aware that owing to the facts mentioned in (f) unemployment is increasing among masons and labourers ; if so, the action the Government intends to take in the matter ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) The Lahore Improvement Trust has no such powers. It has, however, made recommendations to the Commissioner for the provision of adequate streets in areas for which schemes under section 192 of the Punjab Municipal Act are being prepared for the approval of Government.

(b) If any compensation is required to be paid by law it will be paid by the municipal committee. The honourable member is referred to section 192 of the Municipal Act.

(c) If compensation has to be paid it will be based on all the facts of the case. Care is being taken to provide access to land which is to be developed with as little inconvenience as possible to the owners.

(d) Such cases are rare and every attempt is made to reduce their number.

(e) No, but the question is being further investigated.

(f) No. Five hundred and seventy-seven building applications were sanctioned between 1st April, 1937 and 31st December, 1937.

(g) No.

#### DESIGNATIONS OF CLERKS IN THE EDUCATION DEPARTMENT.

**\*1681. Master Kabul Singh :** Will the Honourable Minister of Education be pleased to state—

- (a) the names and designations of the clerks in the various grades in the Education Department who have been granted extensions in service during the last five years ;
- (b) the number of extensions in service which each has received ;
- (c) what steps the Government intends to take to safeguard the claims of the lower grade clerks in future whose promotions are consequently affected ?

**The Honourable Mian Abdul Haye :** (a) and (b) The required information is given in the attached list.

(c) The matter is under consideration.

[Minister for Education.]

List showing the names and designations of clerks in the Education Department, Punjab, who have been granted extensions in service during the last five years :—

Serial No.	Name and designation.	Number of extensions granted.
1	2	3
1	M. Abdur Rashid, Head Clerk, office of District Inspector of Schools, Dera Ghazi Khan.	3 (Two for one year each and one for six months and 15 days).
2	Khawaja Imam-ud-Din, Head Clerk, office of Inspector of Schools, Multan division.	4
3	Lala Ramji Das, Head Clerk, office of Inspector of European Schools, Punjab.	2 (since retired).
4	Lala Labhu Ram, Head Clerk, office of Inspector of Schools, Jullundur division.	2
5	Lala Lakshmi Chand Seth, II Clerk, office of Inspector of Schools, Ambala division.	1
6	Pandit Dina Nath, Senior Clerk, office of Director of Public Instruction, Punjab.	1 (since retired).
7	M. Ghulam Jilani, Head Assistant, office of Director of Public Instruction, Punjab.	3
8	M. Ghulam Muhammad, Head Assistant, office of Director of Public Instruction, Punjab.	2
9	Pandit Kesho Ram, Superintendent, office of Director of Public Instruction, Punjab.	2

*Bund* IN NORTH OF SADHAURA TOWN.

\*1682. **Khawaja Ghulam Samad** : Will the Honourable Minister for Public Works be pleased to state—

- whether he is aware of the fact that the District Board, Ambala, neglected to maintain the *bund* which is situated in the north of Sadhaura town in Ambala district ;
- whether he is aware of the fact that this *bund* was swept away by the hill torrents some years ago and a considerable loss has been caused to the inhabitants of the said town ; if so, the action the Government intends to take in the matter ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana** : (a) The District Board of Ambala has never neglected to maintain this *bund*.

(b) Yes, the *bund* was swept away by hill torrents causing some loss to the inhabitants of Sadhaura. Government have, however, sanctioned a grant-in-aid for this *bund*, and the work of its reconstruction is in progress, and is expected to be complete by the end of February, 1938.

**MEDICAL OFFICERS AS MEMBERS OF BAHADURGARH AND SHAHABAD MUNICIPAL COMMITTEES.**

**\*1683. Khawaja Ghulam Samad :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the number of municipal committees and small town committees in the Ambala division and the number of those among them who have their medical officers as their members ;
- (b) whether there are any by-laws of such committees requiring the appointment of medical officers as members ;
- (c) if the answer to (b) above be in the negative, reasons for nominating the medical officers as members of Bahadurgarh and Shahabad municipal committees ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** I regret the reply to the question is not yet ready.

**BHAKRA DAM SCHEME.**

**\*1684. Khawaja Ghulam Samad :** Will the Honourable Minister of Revenue be pleased to state whether the Government intends to carry out the Bhakra Dam Scheme ; if so, the steps, if any, taken in connection with the same so far ?

**The Honourable Dr. Sir Sundar Singh Majithia :** The honourable member is referred to the reply given to question No. \*802,<sup>1</sup> paragraph (a).

**AUCTION ORDERS REGARDING THE SALE OF BURIAL GROUND IN HANSI.**

**\*1685. Khawaja Ghulam Samad :** Will the Honourable Minister of Public Works be pleased to state whether the Muslims of Hansi in district Hissar submitted representations to the Chairman of the District Board, Hissar, protesting against the orders of the said district board regarding auction of a Muslim burial ground in Hansi ; if so, with what result and whether the Government intends to take any action in this connexion ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** No.

**BANASPATI GHEE.**

**\*1686. Khawaja Ghulam Samad :** Will the Honourable Minister for Education be pleased to state what action the authorities propose to take to discourage the trade of the banaspati and adulterated ghee ?

**The Honourable Mian Abdul Haye :** The attention of the honourable member is drawn to the reply given to question No. \*974, asked by Rai Sahib Lala Atma Ram, M.L.A.

MR. CHAMAN LAL, *EX-CHIEF REPORTER OF THE HINDUSTAN TIMES.*

**\*1686-A. Lala Deshbandhu Gupta :** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that Mr. Chaman Lal, *ex-chief reporter of the Hindustan Times* and a well-known journalist, is being shadowed by the Lahore Criminal Investigation Department, ever since he met the Honourable Premier recently;

(b) if so, the reasons therefor?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) and (b) It is not in the public interest to answer this question.

APPLICATION BY CHAUDHRI KARTAR SINGH FOR INTERVIEW WITH  
POLITICAL PRISONERS.

**\*1686-B. Lala Bhim Sen Sachar :** Will the Honourable Finance Minister be pleased to state—

(a) whether it is a fact that Chaudhri Kartar Singh, M.L.A., applied for permission to interview political prisoners in the different jails of the Punjab;

(b) if so, with what result?

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

(b) Permission was refused.

BUILDING OF A SLAUGHTER HOUSE BY TOHANA MUNICIPAL COMMITTEE.

**\*1686-C. Khawaja Ghulam Samad :** Will the Honourable Minister of Public Works be pleased to state—

(a) whether it is a fact that 4 bighas and 17 biswas of land was proposed to be acquired by the Municipal Committee, Tohana, for building a slaughter house;

(b) whether it is a fact that the Rajputs (*qassabs*) of Tohana made a protest against this acquisition and requested the deputy commissioner through a leading member of the bar to acquire a reasonable area of land at any other place;

(c) whether it is a fact that the proprietors (*qassabs*) of the village are prepared to allot another area of land for this purpose at a suitable price;

(d) the action which the authorities propose to take in the matter?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** I regret the reply to this question is not yet ready.

DEMONSTRATION MADE BY MOTOR DRIVERS AT LAHORE.

**\*1686-D. Sardar Hari Singh :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether he is aware that motor drivers and owners from all over the province made a demonstration at Lahore on 10th January, 1938.

- (b) if the answer to part (a) be in the affirmative, whether he has enquired into the reasons for this demonstration; if so, with what result?

**The Honourable Dr. Sir Sundar Singh Majithia :** (a) Yes.

(b) I understand that the object of this demonstration was the same as that of the strike on the 1st January. The latter subject was fully debated on the 14th January, 1938, and I have nothing to add to what was then said.

#### RAILWAY CONCESSIONS FOR THE HOSIERY FACTORIES AT LUDHIANA.

**\*1687. Lala Deshbandhu Gupta :** Will the Honourable Minister of Development be pleased to state whether it is a fact that the cloth mills at Lyallpur are in enjoyment of the concession in railway fare for goods sent to Calcutta, Delhi, Amritsar and other distributing centres; if so, whether in the interest of trade and industry he proposes, as represented to the Honourable Premier by the hosiery manufacturers at Ludhiana on 28th August last, to move the railway authorities for getting the same concession for the hosiery manufacturers at Ludhiana who send about half of their production to Calcutta, that being the biggest distributing centre for hosiery manufacturers?

**The Honourable Chaudhri Sir Chhotu Ram :** Government have no knowledge whether any cloth mills at Lyallpur are enjoying a concession in railway rates. Railways are a central subject, and, if any mills are enjoying concessions, the concessions were obtained without the mediation of the Punjab Government. The second part of the question therefore does not arise.

#### PETITION CASE OF BHARAT INSURANCE COMPANY.

**\*1688. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state—

- (a) how many Judges actually heard the petition case of Bharat Insurance Company on 25th March, 1936, and how many delivered the judgment and how many names appeared on the file as having announced the judgment;
- (b) whether any affidavit was on that occasion filed by Doctor Parshu Ram, the then acting manager of the company; if so, whether it was found to be false and if so, the action taken against the said doctor?

**The Honourable Major Sir Sikander Hyat-Khan :** I regret that reply to this question is not yet ready.

#### APPOINTMENT OF SPECIAL OFFICIAL RECEIVER AS GUARDIAN OF THE SONS OF RAI BAHADUR SUNDAR DAS CHOPRA OF DINGA.

**\*1689. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Finance be pleased to state—

- (a) whether the Special Official Receiver, Punjab, was also appointed *Mukhtar* of the guardian of the sons of the late Rai Bahadur

[Dr. Gopi Chand Bhargava.]

Sunder Das Chopra of Dinga ; if so, for how long has he been or was in this office and why ;

- (b) whether it is a fact that the said *Mukhtar* during his tenure of office conveyed the gentry of Lahore in a special train to Dinga, and entertained them there on the 8th November, 1937, at the expense of the estate and announced a donation of Rs. 10,000 to the B. P. Boy Scouts Movement ; if so, the authority on which this expenditure was incurred ?

**The Honourable Mr. Manohar Lal :** I regret that reply to this question is not yet ready.

#### CHAUDHRI KARTAR SINGH, M.L.A. AND POLITICAL PRISONERS IN NEW CENTRAL JAIL, MULTAN.

**\*1690. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Finance be pleased to state whether Chaudhri Kartar Singh, M.L.A., was refused permission in October, 1937, to interview political prisoners confined in New Central Jail, Multan, on the ground that his name was on the black list ; if so, the action the Government propose to take in the matter ?

**The Honourable Mr. Manohar Lal :** Chaudhri Kartar Singh, M.L.A., was refused permission to interview convict Dalip Singh, son of Achhru, a terrorist prisoner, confined in the Multan New Central Jail on the 10th November, 1937, as he could give no satisfactory reason for seeking this interview.

#### SLAUGHTERING OF PREGNANT SHEEP AND GOATS.

**\*1691. Khawaja Ghulam Samad :** Will the Honourable Minister of Development be pleased to state whether he is aware of the fact that pregnant sheep and goats are slaughtered in large numbers throughout the whole province and their newly born lambs and kids are also slaughtered as soon as they are taken out of the embryo for the purpose of obtaining their skins to be sold at high prices in European countries ; if so, the action proposed to be taken to put an end to this cruel practice ?

**The Honourable Chaudhri Sir Chhotu Ram :** Yes. The attention of the honourable member is invited to the replies given to part (g) of question No. \*4267<sup>1</sup> on the 12th March, 1935, and to part (v) of question No. \*6007<sup>2</sup> on the 30th October, 1936.

Local bodies have power to make rules prohibiting the slaughter of young animals in slaughter houses under their control. Some have already exercised this power, and the attention of others will be drawn to its existence.

<sup>1</sup>Volume xxvi, Punjab Debates pages 528-29.

<sup>2</sup>Volume xxix, Punjab Debates page 277.

## DAMAGE DONE TO LANDS BY MARKANDA STREAM NEAR SHAHABAD.

**\*1692. Khawaja Ghulam Samad :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that the Markanda stream flowing near Shahabad overflowed in the last rainy season and the flood water breaking through bund No. 1, reached bund No. 8 and spread over a large cultivated area between the bunds ;
- (b) whether it is a fact that the maize, pepper and cotton crops plants and the houses near the wells within the area were severely damaged by this flood ;
- (c) whether it is a fact that this flood water kept standing in the flooded area for a long time there being no passage for the water to go back in the stream and made the area under water uncultivable for the next harvest resulting in a considerable and unbearable loss to the land-owners and cultivators ;
- (d) whether it is also a fact that the landlords and cultivators of this area repeatedly invited the attention of the authorities to this havoc and requested them to take immediate steps to redress their grievances by building a culvert at the eastern bank or adopt any other measures which may enable the water to go back to the river by filling in the gaps ;
- (e) whether it is a fact that effective steps have not so far been taken to save the land-owners from future damages in the next rainy season ;
- (f) if the answers to the above be in the affirmative, what action the Government proposes to take to safeguard the land-owners and cultivators from future calamity ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** I regret that the answer to this question is not yet ready.

INCONVENIENCE CAUSED TO MEMBERS OF THE ASSEMBLY DUE TO OVER-CROWDING IN THE CHAMBER.

**\*1692-A. Sa-dar Hari Singh :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether he is aware of the inconvenience caused to members of the Assembly due to over-crowding in the Chamber ;
- (b) the time after which the new Chamber, now under construction, will be available for sittings of the House ?

**The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana :** (a) The existing Council Chamber was meant to be a temporary structure and was designed to seat 96 members. This accommodation has since been increased to provide individual seats for 181 members according to the new constitution. It is possible that some inconvenience may be caused in the hot weather on occasions when every member is in his seat and the galleries are fully occupied.

[Minister for Public Works.]

(b) The new Chamber will be ready in July, 1938. A limited portion of the Chamber can be made ready for temporary use by the middle of February. The members and staff using this accommodation temporarily are however liable to be considerably inconvenienced and an additional cost of Rs. 21,000 will be necessary to have this temporary accommodation.

## SHORT NOTICE QUESTIONS AND ANSWERS.

### MOTOR VEHICLES TAXATION BILL.

**Sardar Hari Singh :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that Home Secretary to Government, Punjab, in the month of November last addressed a letter to the Secretary, Punjab Resources and Retrenchment Committee, on the subject of Punjab Motor Vehicles Taxation (Amendment and Co-ordination) Bill; if so, whether a schedule of proposed taxes on motor vehicles was annexed to the letter for consideration and report thereon; and if so, whether he will please lay a copy each of the letter and the schedule on the table of the House?

**The Honourable Dr. Sir Sundar Singh Majithia :** It is correct that in November last the Home Secretary addressed a reference on behalf of Government to the Resources and Retrenchment Committee. The reference is an unpublished document, and I do not propose to lay a copy on the table; but I may mention that the "schedule of proposed taxes on motor vehicles" annexed to it was merely a copy of that appended to the former Punjab Motor Vehicles Taxation (Amendment and Co-ordination) Bill which was introduced in the old Legislative Council in October, 1936, and circulated for opinion. As was explained in the debate on the 14th January Government have not as yet come to any decision whether they will re-introduce that Bill or any other measure effecting changes in the provincial motor tax.

**Sardar Hari Singh :** The Honourable Minister has said in reply that he is not prepared to lay the correspondence on the table of the House. May I enquire if it is a secret document?

**Minister :** A confidential document could not be laid on the table of the House.

**Sardar Hari Singh :** May I ask whether he is unaware that it has already....

• **Minister :** There is no question of being unaware.

**Sardar Hari Singh :** Is he aware that it has already seen the light of day?

**Minister :** Then the honourable member must be knowing about it.

**Sardar Hari Singh :** How did it see the light of day?

**Minister :** That the honourable member must know.

**Sardar Hari Singh :** I do not know.

**Minister :** I am not in the Criminal Investigation Department.

**HUNGER STRIKE OF JAHANGIRI LAL, A POLITICAL PRISONER.**

**Sardar Hari Singh :** Will the Hon'ble Minister for Finance be pleased to state whether it is or it is not a fact that Jahangiri Lal, a political prisoner, at present confined in Central Jail, is on hunger strike these days and that his life is in imminent danger due to hunger strike ?

**The Honourable Mr. Manohar Lal :** Jahangiri Lal is at present on hunger strike. According to the latest medical report his condition is satisfactory.

**Sardar Hari Singh :** Since how long has he been on hunger strike ?

**Minister :** This question was answered the other day. He has been on hunger strike since the 11th January.

**Sardar Hari Singh :** Is he a cripple ?

**Minister :** That question does not arise ; but every one knows that he lacks both his legs.

**Sardar Partab Singh :** Have his relatives given any assurance to the effect that he will not participate in terrorist activities if he comes out ?

**Minister :** I do not possess any such assurance on the part of his relatives, but it would not be much use if they did so.

**Sardar Hari Singh :** Has the Honourable Minister considered the question of his release in view of the fact that he is not dangerous because he has no legs ?

**Minister :** The question of his release cannot be considered as long as the prisoner is on hunger strike.

**POLITICAL PRISONERS ON HUNGER STRIKE.**

**Dr. Gopi Chand Bhargava :** Will the Honourable Finance Minister be pleased to state whether any political prisoners have gone on hunger strike ; if so, to state their demands for having done so ?

**The Honourable Mr. Manohar Lal :** Certain prisoners have gone on hunger strike. They have described their demands as " the release of all political prisoners, State prisoners, detainees, internees, lifting of the ban on exiles and the repeal of all repressive laws." "

**Nawab Khan Shah Nawaz Khan :** Can the hunger strikers who have been convicted for dacoities and murders be classed as political prisoners ?

**Minister :** I have not classed them as political prisoners at all.

**Sardar Partab Singh :** The Honourable Minister for Finance has stated that he has not classed them as political prisoners. May I know if he knows the meaning of ' political prisoners ' ?

**Minister :** I am afraid I still continue ignorant.

## POLITICAL PRISONERS ON HUNGER STRIKES.

**Lala Deshbandhu Gupta :** Will the Honourable Minister for Finance be pleased to state—

- (a) whether it is a fact that the condition of some of the political prisoners in different jails of the province, who are on hunger strike, has become serious ;
- (b) whether or not the Government are resorting to forcible feeding of these prisoners ;
- (c) the steps that Government propose to take to ease the situation ?

**The Honourable Mr. Manohar Lal :** (a) No, their condition is reported either as satisfactory or fair. In no case is the condition serious or anywhere near it.

(b) Yes.

(c) This part of the question is not exactly understood. Food regarded adequate if not ample is being given to these prisoners, and there has arisen no situation either with regard to the general condition of the prisoners or in connection with their artificial feeding that requires any special measures.

**Pandit Muni Lal Kalra :** Will the Honourable the Finance Minister be pleased to state whether he has taken any steps to persuade these prisoners to give up their hunger strike ?

**Minister :** What I understand is that these hunger strikers are very determined folk ; and political leaders do not seem to have achieved any success.

**Pandit Muni Lal Kalra :** Will he make an effort to persuade these hunger strikers to give up their strike, and take the advantage of Pandit Jawahar Lal's presence to-day at Lahore ?

**Minister :** How does that arise ?

**An Honourable Member :** What is their daily diet ?

**Minister :** The other day I gave to the House a brief description of the food which the hunger strikers at Montgomery were getting. May I be permitted to state in answer to this question that the hunger strikers in Lahore are getting as their daily diet the following :—

Milk ..	..	..	..	..	3 lbs.
Eggs ..	..	..	..	..	4
Sugar	..	..	..	..	3 ozs.
Glucose	..	..	..	..	2 ozs.
Sago ..	..	..	..	..	1 oz.
Arrowroot	..	..	..	..	$\frac{1}{2}$ oz.
Cream	..	..	..	..	1 oz.
Dal	..	..	..	..	1 oz.
Oranges	..	..	..	..	2

And for the last three days they are getting in addition one ounce of ghee each.

**Dr. Gopi Chand Bhargava :** May I know whether oranges are forced into their stomach through the feeding tube ?

**Minister :** My honourable friend is a doctor and he should know that oranges would mean orange juice.

**Dr. Gopi Chand Bhargava :** What is the caloric value of the diet ?

**Minister :** If the honourable member calculates the value of this food, he will find that the carbo-hydrates and fats and proteins are ample. He will also find that the caloric value is also sufficient for persons who are in that state of health.

**Dr. Gopi Chand Bhargava :** The Honourable Minister has stated that these prisoners are getting adequate food. May I know whether the caloric value was worked out when this diet was decided for them ?

**Minister :** The Superintendent of Jail who is an experienced I. M. S. officer has looked into this matter carefully.

**Dr. Gopi Chand Bhargava :** May I know whether it was looked into ?

**Minister :** I have said it was.

**Diwan Chaman Lall :** Although according to the report given by the Honourable Minister the quantities may be sufficient, is it not a fact that forcible feeding is a brutal method to employ to feed an individual ?

**Minister :** This does not really arise out of the question. But I may say that for persons who would not take food when it is offered to them and when they have gone on hunger strike, the only way to keep them fed is by artificial feeding. This is naturally not the same process as the normal feeding of an ordinary person.

**Begum Rashida Latif Baji :** Have they put on weight on account of this food ?

**Minister :** Some of the prisoners who expected that they would deteriorate in health rapidly have been much disappointed that the food that they are getting is not permitting them to get into that reduced condition.

**Sardar Sohan Singh Josh :** Will the Honourable Minister please enquire from the prisoners the conditions on which they would give up their hunger strike ?

**Mr. Speaker :** That question was asked a little while ago.

**Mr. E. Few :** Will the Finance Minister please state if any additional staff has been engaged to pump food into them ?

**Mr. Speaker :** I disallow the question.

**Chaudhri Kartar Singh :** Is it a fact that food is administered to these hunger strikers through their nose ?

**Minister :** Yes, because that is the most effective method adopted when forced artificial feeding becomes necessary. Food in such cases has to be administered nasally.

**Chaudhri Kartar Singh :** Is it a fact that this forcible feeding resulted in Mr. Jatan Das' death ?

**Dr. Gopi Chand Bhargava :** Will the Honourable Minister be pleased to lay on the table a statement showing the present state of health of all these hunger strikers ?

**Minister :** I have said that the present state of health of these hunger strikers is either satisfactory or fair. What is there more to be laid on the table ?

**Dr. Gopi Chand Bhargava :** I want to know the detailed condition of their health.

**Minister :** What is meant by detailed condition ? Is their weight wanted, or the pulse beat is required or the temperature ?

**Dr. Gopi Chand Bhargava :** Detailed condition of a hunger striker or any person when ill means the condition of his pulse, heart, lungs, brain and everything.

**Minister :** I think the question will have to be made more precise. But the prisoners at Lahore refuse to have their temperature taken and their pulse beat taken or even weight taken.

**Lala Bhim Sen Sachar :** Then how does the honourable member say that their condition is fair ?

**Mr. Speaker :** A cross-examination is not allowed.

#### CIVIL DISOBEDIENCE MOVEMENT BY AHRARS.

**Khawaja Ghulam Husain :** Will the Honourable Premier be pleased to state—

(a) since when the civil disobedience movement has been started in Lahore by the Ahrars :

(b) how many men have so far been (i) arrested, (ii) convicted, in this connection ?

**The Honourable Major Sir Sikander Hyat-Khan :** (a) 17th December, 1937.

(b) (i) 187, up to the 26th January, 1938.

(ii) 158. Twenty-four apologized and were let off by the court.

#### RULES OF PROCEDURE.\*

##### *New Rule.*

**Sardar Hari Singh** (Kangra and Northern Hoshiarpur, Sikh, Rural): Sir, I have the honour to move—

That after rule 45, the following new rule be added :—

“ 45-A. The Speaker may allow verbal alterations to be made in the language of an adjournment motion required on technical grounds, if the substance of the motion fulfills the essential conditions.”

**Mr. Speaker,** I propose to insert this new rule in the Rules of Procedure. It is a very harmless rule. It does not give any more liberty or licence to the members. My object in moving for the insertion of this new rule is quite simple and clear. Because the members of this House are new to parliamentary duties, therefore they cannot be expected to be able to draft technically faultless adjournment motions. We have passed a rule

already in the case of questions where the Honourable the Speaker may amend a question of which a member gives notice in order to suit the spirit and letter of the question. Similarly I want the Speaker to enable a member to make a few verbal alterations if the substance of the motion is of vital urgent public importance and the Speaker is persuaded of its urgency. Supposing there are some redundant words or some other technical faults, I want that the Speaker may allow a little alteration or addition of certain words to be made. I do not propose to give any licence to the member, and I do not think the members opposite will oppose the new rule.

**Mr. Speaker :** The new rule proposed to be added is :—

That after rule 45, the following new rule be added :—

45-A. The Speaker may allow verbal alterations to be made in the language of an adjournment motion required on technical grounds, if the substance of the motion fulfils the essential conditions.

**Sardar Dasaundha Singh** (Deputy Speaker) : This new rule is absolutely unnecessary. The Speaker has got the discretion and he always uses his discretion in the matter of allowing minor alterations to be made, if the substance of the motion is all right. It is a question of discretion only which should not be allowed to be embodied in the rules. The time of notice is only half an hour. If there is sufficient time for corrections of this nature, then the discretion is used, otherwise not. If this rule is adopted, then the discretion of the Speaker will be in a way fettered.

**Diwan Chaman Lall** (East Punjab, Non-Union Labour) : The honourable Deputy Speaker says that it is fettering the powers of the Speaker. Let us have a look at the amendment as proposed by my honourable friend Sardar Hari Singh. The amendment says : " The Speaker may allow verbal alterations to be made in the language of an adjournment motion required on technical grounds, if the substance of the motion fulfils the essential conditions." Far from any fettering of the Speaker's initiative it gives him further powers to amend the motion that is going to be moved. Probably my honourable friend has not quite seen the force of it. What is meant by this amendment is that an adjournment motion may be moved necessary notice of which may have been given as is permissible under the rules and at any stage with the Speaker's consent a verbal alteration can be made to suit the technical requirements or the Speaker himself may make such changes on the initiative of the member moving the adjournment motion. That is not fettering the powers of the Speaker but enlarging the powers of the Speaker and this power should be given to the Speaker.

**Mr. Speaker :** The question is—

That after rule 45, the following new rule be added :—

The Speaker may allow verbal alterations to be made in the language of an adjournment motion required on technical grounds, if the substance of the motion fulfils the essential conditions.

*The motion was lost.*

*Rules 46 and 47.*

**Mr. Speaker :** The question is—

That rules 46 and 47 be adopted.

*The motion was carried.*

*Rule 48.*

**Sardar Hari Singh** (Kangra and Northern Hoshiarpur, Sikh, Rural) :  
I move—

In line 5, between the words "Act" and "are", the following be inserted :—  
"i.e., thirty inclusive of the person presiding."

This is an amendment which is very necessary in order to make the rule clear. If you turn to the rule on the point you will find that the number necessary for the quorum is not specified. Suppose an objection is taken that there is no quorum, and the House cannot conduct its business, then you will immediately turn to the Rules of Procedure which we are going to pass, your Secretary will turn to the Rules of Procedure and we will also turn to the Rules of Procedure only to find that they refer us to the Government of India Act. Then you will immediately turn to the Government of India Act and your Secretary will turn to the Government of India Act where it is mentioned that one-sixth of the members shall form the quorum of the House. Now we shall begin to work a question in mental arithmetic. The quorum will be  $175 \div 6$ ; that is  $29\frac{1}{6}$ . Some will say that it must be 29 and others will say it must be 30 and there will be confusion. So, in order to remove that confusion and give a ready reference, this amendment is necessary.

**Mr. Speaker :** Rule under consideration, amendment moved—

In line 5, between the words "Act" and "are," the following be inserted :—  
"i.e., thirty inclusive of the person presiding."

**Advocate-General** (Diwan Ram Lal) : With reference to the amendment proposed by Sardar Hari Singh I may point out that the Speaker of the House is a member of the House notwithstanding the fact that he is an official and has got certain duties which prevent him from taking part in the debate. He is still a member of the House and the number of 'thirty', therefore, includes him. I do not think this requires clarification. 'Members' include the Speaker.

**Mr. Speaker :** Two questions arise in this connection. In the first place what is one-sixth of 175? It is  $29\frac{1}{6}$ . So the question is whether it should be taken as 29 or 30. That is a question of mathematics. Ordinarily, when a fraction is less than half, it is neglected and when it is more than half, it is taken as a whole number. Another question is whether for the purpose of quorum, the Advocate-General should be considered a member of the House or not.

**Advocate-General :** The Advocate-General is not a member of the House but the Speaker is a member of the House.

**Diwan Chaman Lal :** It is perfectly true there is a little bit of confusion. The question which the Speaker put is relevant, whether it is 29 or 30 members that form the quorum—never mind whether you include the

Speaker in it or not. The Speaker has mentioned that there is a constitutional precedent for this that if it is less than half it should be neglected and if it is more than half it may be taken as one. If it is to be  $29\frac{1}{2}$ , who is going to be the one-sixth out of these members ?

**Mr. E. Few :** Myself or Mian Mushtaq Ahmad Gurmani. *(Laughter).*

**Diwan Chaman Lall :** That is a question of making two and two 22 and not 4. *(Renewed laughter.)*

**Mr. Speaker :** If we fix the number as 30, I do not think we will be violating the spirit of the Act. So, it is understood that the quorum is 30 and not 29.

The question is—

In line 5, between the words "Act" and "are," the following be inserted :—

"i.e., thirty inclusive of the person presiding."

*The motion was lost.*

**Mr. Speaker :** The question is—

That rule 48 be adopted.

*The motion was carried.*

#### Rule 49.

**Khawaja Ghulam Samad** (Southern Towns, Muhammadan, Urban)  
Sir, I beg to move—

That at the end, the following be added :—

"And the Speaker and Leader while allotting the seats, shall take into consideration as far as possible the preferential rights of those members for the front seats on front benches who can be expected to take part in any debate on a motion and resolution, etc."

*(Urdu) :* In this connection I would like to make one request to the Honourable Speaker and the Leader of the House, and that is that when they allot seats, they should take into consideration as far as possible the preferential rights of those members for front seats on the front benches who often rise in their seats to take part in a debate, but being back benchers are unable to catch the eye of the Honourable Speaker. As a matter of fact all the members of the House like to take part in the deliberations of the House. But about this some members are comparatively keener than others. Now the object underlying the suggestion I have made is simply this, that when the Honourable Speaker and the Leader of the House allot seats they should take into consideration the preferential rights of those members for the front seats on the front benches who might be desirous of taking part in debates.

**Mr. Speaker :** Rule under consideration, amendment moved is—

That at the end, the following be added :—

"And the Speaker and Leader while allotting the seats, shall take into consideration as far as possible the preferential rights of those members for the front seat on front benches who can be expected to take part in any debate on a motion and resolution, etc."

**Premier** (The Honourable Major Sir Sikander Hyat-Khan) : Sir, I am afraid that my honourable friend opposite probably is not conversant with the method which is adopted when seats are allotted. Every regard is paid to the seniority of the member and his debating skill and all other relevant considerations are kept in view when seats are allotted. Back benchers are not deprived, in any way, of their rights to make speeches. I can assure the honourable member that throughout my previous career as a member of this House, I used to sit on the very last bench. It never, in any way, deprived me of my right to speak, whenever my Party wanted me to speak or whenever I wanted to catch the eye of the Chair. Seating arrangements are made according to well-recognised conventions and after consultation with the Leaders of different Parties. I can assure the honourable member that his proposal will be kept in view when seating arrangements are made in the new Assembly Chamber, where there will be more room and sufficient number of front seats.

**Khawaja Ghulam Samad** : Sir, I beg leave to withdraw my amendment.

*The motion was by leave withdrawn.*

**Mr. Speaker** : Question is—

That rule 49 be adopted.

*The motion was carried.*

#### Rule 50.

**Pandit Muni Lal Kalia** (Ludhiana and Ferozepore, General, Rural).  
Sir, I beg to move—

That in line 3 of Explanation between the words 'Urdu' and 'and' the word 'Hindi' be substituted.

The idea of inserting this word is that all the recognised languages of the province should have an occasion to be used here whenever a choice is to be made between English and any of the languages of the province. With that idea this word is proposed to be introduced. I think this will also set at rest the fears that those persons who frequently speak Hindi will not be debarred from expressing their opinion in Hindi whenever they can speak in any other language except English.

**Mr. Speaker** : Rule under consideration, amendment moved is—

That in line 3 of Explanation between the words 'Urdu' and 'and', the word 'Hindi' be substituted.

**Premier** : May I suggest that there are one or two other amendments on the agenda? If the House accepts them, it would  
12 noon. be unnecessary to discuss all these items.

**Pandit Muni Lal Kalia** : In view of the statement of the Honourable Premier—

**Mr. Speaker** : If the honourable member wishes to withdraw his amendment he may do so without giving any reasons.

**Pandit Muni Lal Kalia** : I beg leave to withdraw the amendment.

*The amendment was by leave withdrawn.*

**Khan Bahadur Mian Mushtaq Ahmad Gurmani** (Parliamentary Private Secretary) (*Urdu*): Sir, I beg to move that for rule 50, the following be substituted—

50. The business of the Assembly shall be conducted in the English language but any member who is not sufficiently acquainted with the English language may address the Assembly in Urdu, or with the permission of the Speaker, in any vernacular of the province.

*Explanation.*—The Speaker may allow any member who declares that he is unable to express himself satisfactorily in English on a particular subject, to speak in Urdu or in any other vernacular of the province."

Sir, unfortunately, section 85 of the Government of India Act stands in our way. I fail to understand why this restriction has been imposed upon the honourable members of this House that they should express themselves in the English language. We cannot act in contravention of this provision of the Government of India Act unless it is modified by the Secretary of State for India.

**Premier**: So long as the Act is not amended, we may act according to the old rules and when amendment is made we may regard these rules as *ultra vires*.

**Khan Bahadur Mian Mushtaq Ahmad Gurmani**: Yes, provided the Honourable Speaker permits us to do so. There used to be a rule in force with regard to the language in the old Legislative Council, and if that rule is incorporated in the rules now under consideration, the House may continue its business in the same manner in which the old Council had been conducting during the previous years.

**Mr. Speaker**: Will the honourable member please explain what he means?

**Khan Bahadur Mian Mushtaq Ahmad Gurmani**: I mean, that the restrictions regarding language imposed by section 85 of the Government of India Act which has often been discussed on the floor of this House, and about which you and the honourable the Premier have remarked that efforts are being made to have it amended, may kindly be removed.

I am also of the opinion that when the Secretary of State for India comes to know that the demand of having the Act amended is made on behalf of all the members of the Legislative Assembly, I am sure, he will not hesitate in having it modified. As you are aware, Sir, we are not making those rules for a year or so but we are making them for all times to come. I, therefore, request you that the rule now under consideration should be amended on the lines I have suggested. If you have got any legal or technical objection against the amendment No. 2, then amendment No. 3 may kindly be accepted.

May I submit once again that the restriction on the language is much regrettable and has been deeply felt by the honourable members. Surely the restriction laid down in section 85 has seriously injured our feelings and susceptibilities. Another disadvantage of this section is that most of the honourable members are not sufficiently acquainted with the English language and they are, therefore, to some extent unable to follow the proceedings of the Assembly. I hope, you would very kindly permit us to amend the rule under discussion. With these words I commend my amendment for the acceptance of the House.

**Sardar Sohan Singh Josh :** Here a word "or" is to be found in the amendment under discussion. I want to know whether any word is omitted after it, because it lacks sense. I think the word "Punjabi" has been omitted after the word "or."

**Khan Bahadur Mian Mushtaq Ahmad Gurmani :** And that is why I have requested the Honourable Speaker that if amendment No. 3 be accepted, I would be very much pleased. It runs as follows:—

That for rule 50, the following be substituted:—

"50. The business of the Assembly shall be transacted in English; but any member may address the Assembly in Urdu, or, with the permission of the Speaker, in any vernacular of the province."

**Diwan Chaman Lall :** First of all, I am not sure whether the honourable member moved amendment No. 2 or No. 3. (*An honourable member :* He prefers No. 3). My learned friend has all my sympathy for his amendment. But I should like to draw your attention to the fact that both these amendments in two particulars violate section 85 of the Government of India Act. It is regretfully that I have to say that. You, Mr. Speaker, are the guardian of the privileges of this House and the interpreter of the provisions of the Government of India Act so far as they apply to this House. My honourable friends over there are also very particular about the meticulous application of the sections of the Government of India Act.

**Khan Bahadur Nawab Muzaffar Khan :** That remark coming from you is very satisfactory.

**Diwan Chaman Lall :** I do not understand the relevancy of my honourable friend's interruption. Anything that comes from me is satisfactory so far as the benches here are concerned and I am happy to have converted the benches opposite. It is very necessary that we should not blink our eyes nor blind ourselves to the significance of these two amendments. Now, let us look at amendment 3. Section 85 of the Government of India Act is very clear and I want my honourable friends to be thoroughly honest in the matter and even in regard to the implications of the Government of India Act. It is no earthly good trying to circumvent the provisions of the Act in this particular fashion. Section 85 says—

"All proceedings in the Legislature of a Province shall be conducted in the English language:

Provided that the rules of procedure of the Chamber or Chambers, and the rules, if any with respect to joint sittings, shall provide for enabling persons unacquainted or not sufficiently acquainted, with the English language to use another language."

Thus it is only those members of the House who are not acquainted or not sufficiently acquainted with English who can be permitted to use a vernacular in addressing the House. Amendment No. 3, moved by my friend Mian Mushtaq Ahmad Gurmani says that—

"The business of the Assembly shall be transacted in English; but any member may address the Assembly in Urdu, or, with the permission of the Speaker, in any vernacular of the province."

I submit, Mr. Speaker, that this amendment cannot be considered to be in order because it widens the scope of the provisions of the Government of India Act. I am strongly in favour of the evolution of this particular

section to enable every member of this House to speak in a language which he generally uses—I would myself prefer to speak in Urdu or in Punjabi—but as long as the Government of India Act remains as it is, we have to abide by it and by the decision given by you regarding the interpretation of section 85. I do submit that this amendment is out of order in view of the provisions of section 85 of the Act.

Now I come to amendment No. (2) which is as follows—

“The business of the Assembly shall be conducted in the English language but any member who is not sufficiently acquainted with the English language may address the Assembly in Urdu, or with the permission of the Speaker, in any vernacular of the province.”

And there is an explanation attached to it which allows a member who declares that he is unable to express himself in English *on a particular subject* to speak in Urdu or in any other vernacular of the province. This amendment, I submit, circumvents the provisions of section 85 which lays down that a member who is unacquainted or not sufficiently acquainted with the English language may address the House in a vernacular. It is inconceivable, if proper interpretation of the Act is given, that a member may address the House on two occasions in English and on the third occasion he may be allowed to do so in any vernacular he may choose. This can only be done if the Act itself is amended and not otherwise.

The third point that I have to bring to the notice of the House is this. In regard to the use of a vernacular the proviso to section 85 does not lay down any restriction to any particular vernacular to be used. It is wide enough. Our province is so situated that at one end it touches the Frontier, at the other it reaches up to Baluchistan and at the third it goes as far as Sind. So, at some time or another we may have a member who would like to address the House in Pashto or in Sindhi.

**An Honourable Member :** No.

**Diwan Chaman Lall :** My honourable friend says ‘no.’ I am sure there are some members who will not understand Multani if they were addressed in that language.—I personally may be able to understand it because I come from round about that area—and there may be others who cannot understand *Theth* Punjabi.

**Premier :** There may be several other instances also.

**Diwan Chaman Lall :** True, and they would like to speak in that particular vernacular which suits them in order that they may be able to express their views.

**Mr. Speaker :** As this is a very important point, I would request the Advocate-General to express his views on it.

**Mir Magbool Mahmood :** It would be better, Sir, if you invite his view at a later stage.

**Mr. Speaker :** As the matter requires an interpretation of law, I have requested the Honourable Advocate-General to interpret it. If honourable members think it more advisable to have his views later on I have no objection.

**Mir Maqbool Mahmood** (Amritsar, Muhammadan, Rural) : Sir, with regard to amendment No. 3, moved by Khan Bahadur Mian Mushtaq Ahmad Gurmani, my position is just the same as that of my friend, Diwan Chaman Lall that the amendment is not permissible within the orbit of Government of India Act as the provisions of section 85 of the Act are definite and mandatory. But with regard to amendment No. 2 my position is slightly different from that of Diwan Chaman Lall. I will give my reasons. Section 85 states that ordinarily all proceedings of the Assembly are to be conducted in the English language. We all agree. Then there is a proviso that rules of procedure shall provide for enabling persons unacquainted or not sufficiently acquainted with the English language to use another language. With regard to this, I submit, that so far as the expression 'unacquainted with the English language' is concerned, there is no difference of opinion. But the expression 'not sufficiently acquainted with the English language' is nowhere defined in the Act and it is for you, Mr. Speaker and for the Assembly to decide as to the purpose, requirements and conditions under which that term is to be interpreted. Now what is the purpose to which this expression 'not sufficiently acquainted with the English language' relates. Apparently, it is not for the purpose of writing a letter or an essay nor for the purpose of conversation, but it is for the purpose of discharging our duty as members of this House and that duty we can only perform satisfactorily if we are adequately able to express our point of view in the House. There are matters on which most of us feel that we can discuss to our satisfaction in the English language. But with due deference, I submit that there are subjects and those subjects may relate to very important matters on which we are not able to give vent to our feelings in the English language in as satisfactory a way as we would if our own vernacular was the vehicle of our expression. I, therefore, submit that the expression 'not sufficiently acquainted with the English language' cannot be defined for all purposes, for all persons and for all conditions. That is the first point. The second point is, if a specific question arises regarding an honourable member whether he is or he is not sufficiently acquainted with the English language, who will decide that question and what will be the evidence for deciding it? In my opinion the best evidence that can be produced on this subject is the honourable member himself.

We are agreed that section 85 is a very unfortunate section for purposes of getting on with the proceedings. That being the position let us join hands to find a reasonable way out so that within the orbit of this section we may be able to find a way by which members of this House can adequately discharge their duties for which they are sitting here. In view of this submission, I would submit that it would be perfectly within the rights of this House to define an expression "sufficiently acquainted with the English language" and "not sufficiently acquainted with the English language." I would further say that the question whether an honourable member is or is not sufficiently acquainted with the English language is a question of fact to be decided on circumstances of the case. There is one other point and I have done. It has been suggested that because once a member speaks in English he should always be asked to speak in English. Section 85 of the Government of India Act is an enabling rule. It is not a prohibiting rule. It does not mean that a member not sufficiently acquainted with the

English language should be debarred from speaking English or a member who is sufficiently acquainted with English on a particular matter and not on other matter, should not be in a position to speak in English or Vernacular again. So, if my honourable friends will look to the wordings of that section they will find that the purport of section 85 is that persons who are not sufficiently acquainted with the English language will be in order to speak in any other language according to the provisions of the Rules of Procedure.

**Mr. Speaker :** I shall be glad to have the opinion of the honourable lawyer members on the legal aspect of the amendment.

**Lala Duni Chand :** With every respect to the views expressed by Diwan Chaman Lall, I beg to differ from him. He thinks that section 85 is an insurmountable difficulty in the way of giving an option to those people who know English to speak in any of the vernaculars. I submit the interpretation to be put upon section 85 has been the subject matter of several debates in the other provincial assemblies. I was under the impression that at this point there was going to be no difference of opinion. I was under the impression that the general sense appears to be that option should be given to members to speak either in English or in any vernacular, otherwise I would have brought all those debates of the other provincial assemblies concerned for the use of the House. The interpretation that has been put upon section 85 is this that where it is said that the proceedings of the Assembly shall be conducted in English, it has been interpreted to mean that it is merely an enabling provision. It is not a mandatory one.

**Mir Maqbool Mahmood :** What I said was that the proviso is an enabling provision.

**Lala Duni Chand :** I am not having any differences with you so far as it is concerned. Section 85 has been interpreted to mean that the first part of this section is merely an enabling rule. It does not mean that the honourable member who knows English sufficiently, cannot speak in any of the vernacular languages. I have had talks on this subject with two Honourable Speakers—the Honourable Speaker of the United Provinces Legislative Assembly and the Honourable Speaker of the Madras Legislative Assembly. Both of them are of the opinion that—

**Mr. Speaker :** I want the honourable member's opinion as a lawyer.

**Lala Duni Chand :** All right. On a previous occasion I said that the view of the Honourable Speaker appears to be incontestable. But I have since then studied the legal aspect of this question and I have come to the conclusion that section 85 is not any real bar to the use of vernacular language even by those members who know English. One of my arguments is that it must have been contemplated—

**Mr. Speaker :** What is the honourable member reading ?

**Lala Duni Chand :** Section 85 of the Government of India Act.

**Mr. Speaker :** Is the honourable member reading the section ?

**Lala Duni Chand :** Yes, Sir. It reads as follows :—

"85. All proceedings in the Legislature of a province shall be conducted in the English language.

Provided that the rules of procedure of the Chamber or Chambers, and the rules, if any, with respect to joint sittings, shall provide for enabling persons unacquainted, or not sufficiently acquainted, with the English language to use another language."

What I submit is that it must have been in the contemplation of the authors of section 85 that they did not intend to deprive all those people, who could speak in English, to speak in the vernacular language. It must have been in the minds of authors of section 85 that they intended to give an option even to those people who could speak in English, to speak, if they so chose in any of the languages of the province. After all it does not appear that it was the intention of the House of Commons that they should impose or force the use of English language upon the provinces. It appears to me that they intended that option should be given. In some cases the members can speak in English and they might express themselves better in the English language. In connection with other subjects they might think they can express themselves better in the vernacular language. My argument is that it does not appear that the idea of giving the option to the members of the provincial legislatures was not present in the minds of the authors of section 85. There is a certain amount of difficulty. I may give another argument. In several enactments the word 'shall' means 'may' and in other enactments the word 'may' means 'shall'. I think all the lawyers know that whenever the word 'shall' or 'may' is used it does not mean that 'shall' always indicates the obligatory nature and the word 'may' always applies to the idea of option. All the lawyers know that 'may' in certain sections means 'shall' and in others 'shall' means 'may'. This

1 P. M.

is the legal aspect of the question that I can place before the House. The sense of the House appears to be to give option to members to deliver speeches in vernacular, and even if there is some doubt, I think the benefit of that doubt should be given to those people who would like to speak in the vernacular language.

*At this stage the Assembly adjourned for lunch.*

*The Assembly re-assembled at 2-30 P. M. Mr. Speaker in the chair.*

**Pandit Muni Lal Kalia :** Sir, the discussion before the recess was on the interpretation of section 85 of the Government of India Act. You will kindly see that in the opening clause of this section the words are : 'all proceedings in the legislature of a province shall be conducted in the English language.' So far as the use of the word 'shall' is concerned, my submission is that it is used in a conditional sense. It is not used in the sense in which it is generally used in the imperative sense. It only means that the proceedings of the legislature shall be conducted in the English language. To put it in other words it means that if the proceedings are not conducted in English, so far as one or two members are concerned and if it is found that those members are sufficiently acquainted with English still they have not used English language, this would not in itself invalidate the proceedings of the House. What I mean to say is that the word 'shall' has

been used only in a conditional sense. The rigours of the word 'shall' has been relaxed by the addition of the proviso to the section which says—

Provided that the rules of procedure of the Chamber or Chambers, and the rules, if any with respect to joint sittings, shall provide for enabling persons unacquainted, or not sufficiently acquainted, with the English language to use another language.

There also you will see that the amendments which have just now been circulated or those already printed, are in contravention of this proviso, because it is expressly laid down that no other language may be used. There is no restriction to the effect that it should be either Urdu, Hindustani, Punjabi or any other vernacular. Any language of the province may be used besides English in case the member concerned is not able to express himself sufficiently in English. So that to put it briefly the word 'shall' is not used in the imperative sense. It is open to the House to take advantage of the wording of the section. It is not expressly provided in this Act that in case the proceedings are not conducted in English they shall be invalidated. Sometimes there are provisions in an Act which are imperative and in case these provisions are ignored the proceedings are invalidated. That is not the case here. It is only a matter of procedure. It is only to secure uniformity in the proceedings or for some other reasons that this thing has been introduced in the Act; but it does not debar a member to express his views in Urdu or in any other language in which he can express in case he fails to understand English. I therefore submit that we should liberally interpret section 85 so far as the use of language of the proceedings of the House is concerned.

**Sayed Amjad Ali Shah :** Sir, although I am not a lawyer I would like to make a few observations on this point. I am in entire agreement with my honourable friend Khan Bahadur Mian Mushtaq Ahmad Gurmani's amendment. I feel that section 85 of the Government of India Act is very clear on the point. It has been made out by some speakers that there is a loophole in section 85 of the Government of India Act and that if any member is not sufficiently acquainted with English he can speak in any language to express his views on any particular subject. I beg to differ from that point of view, and would invite your kind attention and the attention of the House to paragraph 373, page 219 of the Joint Parliamentary Committee Report in which it is said :

"It has been urged on us that provision should be made requiring the English language to be the official language of the Federation, or, more particularly, that English should receive legal status as the official language of the Constitution and of the Superior Courts, and as one of the official languages of the Provincial Governments."

Then, Sir, on page 220 it says—

"Apart from this we recommend that the Letters Patent issued to the High Courts should prescribe English as the language of these Courts, and we think that the Constitution Act might well provide, as do the Statutory Rules made under the existing Government of India Act at the present moment, that the business of all the Legislatures is to be conducted in English, subject to appropriate provision ensuring the right of any member unacquainted with English to address the Legislature in the vernacular."

Sir, in view of these recommendations of the Joint Select Committee I do not think that we can interpret the Government of India Act in any other

[Sayed Amjad Ali Shah.]

way than that any one not sufficiently acquainted with English can only speak in the Vernacular.

**Diwan Bahadur Raja Narendra Nath :** Sir, I wish to say a few words on both the amendments standing in the name of Khan Bahadur Mian Mushtaq Ahmad Gurmani.

**Mr. Speaker :** Only the legal aspect is under discussion.

**Diwan Bahadur Raja Narendra Nath :** I will speak about the legal aspect. I will say a few words about the general aspect : perhaps you will allow me to do so.

**Mr. Speaker :** The motion has not yet been proposed from the Chair. Only the point of order whether the amendment can be moved, is under discussion.

**Diwan Bahadur Raja Narendra Nath :** I shall have the right to speak again on the general aspect.

As regards the legal aspect of the case, there is not the least doubt that section 85 is restrictive. It restricts the use of vernacular much more than any previous rule did. When I read section 85 of the Government of India Act, I brought the matter at once to the notice of the Honourable Premier and he held out some hope of addressing the Government of India on the subject. I am of opinion that amendment No. 3 which does not reproduce the wording of section 85 of the Government of India Act, is out of order. The proper amendment is No. 2. The matter is being discussed as to the propriety or otherwise of restricting the use of any language. I wish to dwell on one aspect of the question which has been ignored in the discussion. The matter has been considered from the point of view of the member who speaks, and it seems to me that the Parliament even there has made a mistake in restricting the use of the language. The point of view of the member who hears has been completely ignored. In every provincial legislature there must be a fairly large number of members who would rather hear the speech in vernacular than in English, and to whom a speech in the vernacular would appeal more than a speech in English, and who would more readily understand arguments addressed in vernacular than in English. This aspect of the question should also be brought to the notice of Parliament when the Honourable Premier addresses the Government of India on the subject. I need not make any remarks about the general aspect of the case. I will say a few words about the explanation afterwards.

**Munshi Hari Lal** (South-Western Towns, General, Urban) : Mr. Speaker, you have been pleased to ask the interpretation from a lawyer's point of view. Section 85 of the Government of India Act reads thus : "All proceedings in the Legislature of the province shall be conducted in the English language." My submission is that the word "shall" of course appears to be quite imperative in the first clause. There can be no two opinions about the word "shall." But the strictness of the word "shall" has been impaired, rather, I would submit, it has been destroyed by the proviso that has been added to this section. I would submit that the word "shall" in the proviso appears to have been taken in the sense of 'may' because the proviso not only modifies the word "shall" but takes away all the force of the word "shall" which it commands in the legal language.

Then comes the proviso "provided that the rules of procedure of the Chamber or Chambers and the Rules if any with respect to joint sitting shall provide for enabling persons unacquainted or not sufficiently acquainted with the English language to use another language." In this proviso also we find the word "shall." At the time when this section was going to be introduced, it was in the mind of the legislators that in a provincial legislature there can be members who do not know English or who are not sufficiently acquainted with the English language and some provision has to be made for them. It was never meant that the English language should be insisted on them and any departure from the English language is to be held an illegality, as in the proviso there is an imperative word "shall", it is left to the legislature of a province to necessarily make a provision for the persons who are not acquainted or who are not sufficiently acquainted. The words are "shall provide." There is no question of "may" here. Of course in regard to the persons who are not acquainted with English there is no difficulty at all. The difficulty arises in the case of those who are not sufficiently acquainted with the English language. Now the question is, what do the words "sufficiently acquainted" mean? The honourable Mir Maqbool Mahmood has of course given an illustration and if I am right in following him, I might sum up his illustrations by saying that "sufficient acquaintance" means 'acquaintance adequate enough to deal with the requirements of the case.' The requirements of the case on the floor of the Assembly are that a member should express his feelings and should give expression to his views and ideas in a language which he knows best. If he cannot express his ideas in the English language on a particular occasion or on all occasions, it would mean, that he is not sufficiently acquainted. The one aspect of the words "not sufficiently acquainted" as I have submitted should be such acquaintance as to meet the requirements of the case. The requirement on the floor of the Assembly is that I should make myself clear and intelligible to members of the House and to Mr. Speaker. I have to see how I can meet the requirements.

**Mr. Speaker :** The honourable member is requested to speak to the question now under discussion.

**Munshi Hari Lal :** I was submitting that "sufficiently" here means adequate enough to meet the requirements of the occasion and if a member is not able to express himself in the English language, he is allowed to speak in a language in which he can best express himself. I submit, under this proviso there is absolutely no necessity for a declaration on the part of the member to the effect that as he cannot express his feelings in the English language, he should be permitted to use another language because the proviso gives him power to speak in a language other than English, i.e., to speak in a language of the province. As soon as he gets up and begins to speak in vernacular it should be presumed that he is not in a position to express his ideas on a particular subject before him in English and he can therefore employ any language he pleases according to the rules.

**Finance Minister (The Honourable Mr. Manohar Lal) :** I find myself, in interpreting this section, in general agreement with the honourable member opposite representing the Labour constituency. In doing so, may I say just a few words. There can be no manner of doubt that the word "shall" in the first part of this section implies the mandatory character of the

[Finance Minister.]

provision. The important thing to notice is that in the first part it is stated "all proceedings." You will see that in the proviso the question is not of all proceedings but of making certain rules and that is also necessary and imperative—certain rules for a given contingency. So far as proceedings of this House are concerned all proceedings except in so far as this proviso takes them out of the purview of the first part of the section must be imperatively so in English. It is too late, I think it is idle, to suggest that the word "shall" is not used in a mandatory sense and is used, as one member stated, in some sort of a conditional sense. It is fully mandatory.

Then coming to the proviso it refers only to a particular part of the proceedings and calls upon us to make rules in that behalf. We must make rules because the rule "shall" provides for this—we are enjoined to make rules for a particular contingency—that contingency being merely this—what language shall a member who is not acquainted or is not sufficiently acquainted with the English language employ—merely the use of a language by a member who suffers from inadequacy of knowledge of the English language, if that can be called suffering from a defect. That is all that the proviso speaks of. It is not a question of what a speaker is concerned with at any time or what language the members of the House would wish him to use—that is not the question. The words are these: "unacquainted with the English language," and the words "not sufficiently acquainted with the English language" are to be used in the ordinary sense of this expression, that is, not sufficiently acquainted to express himself in the English language. May I say this at once, that the suggestion that has been made that this expression 'not sufficiently acquainted' to express himself may be further restricted by reference to any particular subject or occasion on which the member is speaking—that in my view, is a totally erroneous view of the matter. We are not concerned with the particular subject on which one may be able to express oneself in English more adequately or more effectively than on another subject. That is not the question, because if it were so we are embarking on an absolutely undefined and uncharted sea. We shall not know where we are, and every time you, Sir, will have to determine in reference to what the honourable member may say, whether he might speak in this or in that language. A legislature cannot contemplate an indefiniteness of that character. The words 'not sufficiently acquainted with the English language' must be taken in their ordinary sense apart from the subjects which may be under the consideration of the House at any given time. These words 'not sufficiently acquainted with the English language' are not terms of art. We all know what a fair measure of competence of expression in the English language is which is conveyed by these words 'sufficiently acquainted'—sufficiently acquainted for the normal purpose of expression. It is perfectly clear. It is no use anybody thinking that it means our power of expression relatively to some other language in which we might also be able to express ourselves. It has nothing to do with our relative power of expression in English language as compared with another language nor has it anything to do with the subject which is under our consideration at any given time. So, whatever interpretation one might place on the expression 'sufficiently acquainted' one has to do it irrespective of those two circumstances. It is perfectly clear

that once you have put that idea aside that it is not controlled by one's relative knowledge in another language or the special subject which the House is considering at any particular time, the meaning of the expression is perfectly simple. You have yourself, in order to determine whether a particular member is sufficiently acquainted or not, adopted various methods and they can be adopted always. Therefore, we must proceed on the assumption as the honourable member opposite did that it is an imperative requirement of the law—it is not a piece of advice—and we must give effect to it, unless the section of the Act itself is changed.

**Raja Ghazanfar Ali Khan** (Parliamentary Secretary): I have got very great respect for the opinion of my honourable friend, the Finance Minister, but I must emphatically differ from him so far as his views on this matter are concerned. I can well understand the objection being raised to amendment No. 8 of Mian Mushtaq Ahmad Gurmani. But I cannot understand why an objection should be raised to his first amendment, at least so far as the main portion of it is concerned. (*Finance Member*): I have raised no objection to any amendment. This is a reproduction of the Government of India Act. If anybody could find fault it is only with the explanation. I personally consider that a subtle distinction must be drawn between the main section and the explanation. So far as the main clause is concerned, there is nothing wrong with it. I am sure even my honourable friend, Diwan Chaman Lall, would agree to it. If at all you find any fault it is with the explanation. I would submit that what my honourable friend has tried to do is just to reproduce in the rules what has been your ruling on the subject. As we are all aware you have ruled that a double graduate, one who is an M. A. as well as an LL.B., may speak in Urdu. This question was raised at Simla and an objection was raised that a certain gentleman is a double graduate and when asked by you he said that he could not express himself sufficiently well in English and you permitted him to speak in Urdu. Similarly, there are at least half a dozen members sitting opposite who are graduates and M. As. in English and because they said that they could not sufficiently express themselves in English you allowed them to speak in vernacular. Therefore, I come to the conclusion that so far as the words 'having sufficient knowledge of English' are concerned, you have already ruled that it depends on the individual member whether he can express himself in English in that particular subject or not. If a member says that in a particular subject with which he is familiar he can express himself in English while he cannot express himself on another subject in English, how are we to stop him from speaking in vernacular even in accordance with the ruling you have already given? As far as the Government of India Act is concerned, it does not relate to any particular subject. It does not lay down that if a member can express himself in English on one subject he should be considered to have sufficient knowledge of English to express himself in that language in all subjects. Therefore I would submit that there is nothing wrong in this amendment, particularly when we remember that every rule must be interpreted with a certain amount of common sense. You know that there are a large number of members in this House who do not understand English. So far as the rules are concerned, nobody is debarred from becoming a member of this House if he does not know English and I do not know whether

[Raja Ghazanfar Ali Khan.]

it is the intention that members who do not know English should come here and be forced to give their opinion on subjects without understanding what is taking place here. Therefore I would submit that the legal interpretation must be accompanied by a certain amount of common sense. The main principle is that the proceedings of this House must be understood by every member whether he knows English or not.

**Advocate-General (Diwan Ram Lal):** Mr. Speaker, the matter under consideration is in my view perfectly simple. To the mind of a lawyer there can be no difficulty in agreeing with the opinions which have been expressed by the Honourable Finance Minister and my learned friend, Diwan Chaman Lal. There are three very simple principles of interpretation which taken individually cannot be in any way and by any section of the House objected to and I submit that on a consideration of these three very simple canons of interpretation, I submit, no other conclusion from the point of the lawyer is possible than the one that has been placed before you by the Honourable Finance Minister. The first of these is that any rule which offends or is inconsistent with the provisions of an Act is to the extent of that offence or to the extent of that inconsistency, void. Therefore it is not open to this House to make any rule, however good, however reasonable, however convenient, which is not consistent with the Act under which that rule is being framed. That is a proposition which is so obvious that no person can object to it under any circumstances.

The second is that the words of any enactment must be given their literal and plain meanings, unless these words have been used in a technical sense, in which case technical meanings should be given to these words. In construing an Act literally it makes no difference and it is not a matter in which it is open to any court of law or to a body like this, which is construing it—and that is a question of law—to go into speculations as to what the legislature intended or what the legislature should have intended, if the meaning is plain. A good deal of argument has been advanced on the floor of this House both by my learned lawyer friends on the other side and by my honourable friend Raja Ghazanfar Ali Khan that this will lead to some kind of inconvenience, therefore, we should give it what they are pleased to assume a liberal interpretation. Any liberal interpretation of this kind cannot do violence to the language employed if the language is plain. (*Lala Duni Chand: Rational interpretation.*) If the learned gentleman on the other side had put forward a rational explanation and this did not do violence to the plain language of the section, then I submit that there should have been some object and substance in the interruption with which my learned friend has intervened in this debate. The submission I was making was that you cannot judge the language of an enactment either by the inconvenience that may flow from that enactment or by its consequences. You must assume that the legislature intended what it meant, and that is the reason why proceedings in a committee or debates, before the enactment became law, are not even permitted to be referred to in a court of law. The question is what is the plain meaning of these words and on that we have heard the Honourable Finance Minister, who is perhaps a very great authority here in this House on the use of the English language.

Now, I put the language of the section before the House. The section is divided into two parts. The first is that all proceedings in the legislature of a province shall be conducted in the English language—and that is the substantial portion of this Act. It means this that the general rule is that all proceedings, questions, debates and everything on the floor of the House shall be conducted in English. That is a general rule laid down. Then after that an exception has been carved out. The third proposition I am putting before the House is that when an exception is being made to a general rule that exception should be strictly construed, that is, you cannot go beyond the limits of that exception in order to explain what the legislature meant. The general rule is that in all circumstances, except to the extent to which the exception allows, English shall be the language of the House. Then let us see what the exception is. The exception in the proviso is that in certain cases—and those cases must be numerated in the proviso and if not numerated they would fall within the general rule—that to the extent to which those cases are numerated, an exceptional rule will be employed. That exception is that in cases of those persons who, either, do not know English—and on that no difficulty can arise—or persons who are not sufficiently acquainted with the English language—it does not say sufficiently acquainted for one purpose and not sufficiently acquainted for another purpose—there must be some authority—and who should be that authority—who must determine the question whether a member who claims the benefit of that exception does come within the four corners of that exception? The section, as I have submitted, says nothing more than this ‘a person not sufficiently acquainted with a particular language.’ It does not go into the distinction of how a person may be acquainted for one purpose and not for another, because if that had been the intention the language employed would have been capable of being construed in the same manner in which it is suggested in the amendment. The suggestion in the amendment is that on a particular subject a member may speak in a particular language and if this had been intended, there would have been no difficulty in using these words in the enactment.

The next matter to which I draw your attention in deciding this point is that the Speaker of the House is the authority to conduct the proceedings of the House. The use of a particular language by any member in the course of debate is a matter of procedure, just as much procedure as the question that a member should speak from his seat and that he should stand up when he speaks and so on. The Speaker has to determine in all cases whether a particular member can be allowed to either speak in English or in any particular language. Therefore, it becomes a question for the Speaker and Speaker alone to determine whether a person, who claims to come within the exception, does in fact so come? In determining that question the Speaker may—not ‘shall’ but ‘may’—treat as a piece of evidence—and nothing more than a piece of evidence—any statement made on the floor of the House by a member that he is not sufficiently acquainted with a particular language, and the Speaker may be—you cannot say ‘shall be’ but ‘may be’—satisfied by that declaration. But a case might arise—I hope it will not arise, but I say a case might arise—in which the Speaker may have to disregard that piece of evidence. It is, as I have submitted, a piece of evidence but not a conclusive piece of evidence in some

[Advocate General.]

of the amendments that have been put forward to this rule. There are such amendments which practically take away from the Speaker the right of determining whether a particular member is not sufficiently acquainted with a particular language, that is, the member is to determine for himself,—not the Speaker but the member himself—that he is not sufficiently acquainted with a particular language. The status of a conclusive piece of evidence, beyond which you cannot go is given to such a declaration. That is not correct.

Now, Sir, I am coming to the last point, namely, that it is for the Speaker to determine whether a person does or does not satisfy a particular test. In coming to that decision, the Speaker would take into consideration the statement made. But he may go further; he may have within his own knowledge the evidence, or rather the facts may be within his own knowledge, which conclusively show to his mind and satisfy him that the member concerned does, in fact, know a particular language and therefore can express himself in that particular language. If the Speaker is of the opinion, on that evidence or other knowledge that he possesses, that the member concerned does in fact know the English language adequately to express himself then I submit the Speaker must give effect to that opinion.

The evidence is the statement of the member himself. The statement of the member may be treated by you, Mr. Speaker, on the same footing as a court of law takes into account a piece of evidence; but once such a statement is made it is not necessarily conclusive evidence and you can go further. But I hope cases will not arise in which a speaker will find it necessary to go beyond the statement made by a member.

**Mr. Speaker :** Will the honourable member please enlighten the House as to which of the two amendments, No. 2 and No. 3, which stand in the name of Khan Bahadur Mushtaq Ahmad Gurmani, is in order?

**Advocate-General :** So far as No. 2 is concerned, the objectionable portion is in the explanation where it speaks of a member who is unable to express himself satisfactorily in English on a particular subject. I cannot understand how it can be held that a man is acquainted with the English language under one set of circumstances and not in others, when he happens to deal with one particular subject and not when he deals with another subject. Either a man knows English sufficiently or does not know sufficiently to make himself understood. The honourable member is reading in the proviso of the section more than the proviso allows.

So far as the other amendment is concerned, it is obviously out of order.

**Lala Bhim Sen Sachar :** Sir, the latitude you have been pleased to allow to members in the matter of interpretation of this section prompts me to speak a few words about the legal aspect of the question under discussion. The proviso says—

That the rules . . . . . shall provide for enabling persons unacquainted, or not sufficiently acquainted, with the English language to use another language.

My submission is that the rules have to be so framed that the members who are either not acquainted or are not sufficiently acquainted with the

English language are enabled to make use of another language. This proviso is intended for the benefit of those members who either do not know English or do not know it sufficiently. It is imperative under the section that the rules shall enable such a member to use another language. When he speaks, he will be permitted to speak in a language other than the English language. But if you talk to him in the English language, that person turns round and says, 'I do not know English. I should therefore be permitted to ask you to speak in my language.' Therefore whether a person is to be permitted to make the use of the English language or not rests on the person who does not know the English language in this House, because the rules must enable that member to make use of a language other than the English language. Use of language consists not in speaking only, but also in understanding another member who is speaking. Therefore my submission is that the rules will have to be so framed that every such member of the House is enabled to make use of a language other than the English language.

**Premier** (The Honourable Major Sir Sikander Hyat-Khan): I am afraid I am at a great disadvantage in this particular matter, because I am not a lawyer, but we all have had the benefit of hearing so many legal luminaries that I am almost confused now, after hearing them. But as a layman I submit that so far as section 85 of the Government of India Act is concerned there can be no two opinions. It is clearly mandatory and I am afraid there is no escape from its rigorous provisions except by an amendment of the Act. I do only hope that our strong recommendation for the amendment of the Act may go through very quickly. Then it will give us more latitude to make whatever rules we like. That is all I can say in the matter.

**Mr. Speaker** : Section 85, as I read it is neither complicated nor difficult to understand or interpret. The first part of the section, which relates to the conduct of proceedings of the legislature in English, is perfectly clear. The word 'proceedings' means everything said in the House. Every motion or resolution moved and discussed, every speech made and everything said on the floor of the House forms part of its proceedings. In this respect, I think, there can be no two opinions. It is further clear that the first 'part of the section is mandatory.

As regards the second part of the section, that is, the proviso, it requires a little more attention. According to it, it is the imperative duty of this House to frame a rule or rules enabling members, who are unacquainted or not sufficiently acquainted with the English language, to use another language. It says—

Provided that the rules of procedure..... shall provide for enabling persons unacquainted or not sufficiently acquainted with the English language to use another language.

The question is whether rules can be made as to what persons can be said to be unacquainted or not sufficiently acquainted with the English language and whether it is within the province of this House to make rules in this connection. As to proceedings being conducted in the English language, there can be no two opinions. The section is clearly mandatory. But it is not quite clear whether the House has the power to make rules as to

[Mr. Speaker.]

which member shall be considered unacquainted or not sufficiently acquainted with the English language.

It is perfectly clear, however, that the House has the power and is bound in the exercise of that power to make rules for another language being used by members, who are unacquainted or not sufficiently acquainted with the English language. The framing of rules for the use of language other than English will not be difficult; but to determine by rules or otherwise, whether a person is unacquainted, or not sufficiently acquainted with the English language is, in my opinion, a difficult matter.

Now I come to the two amendments moved by Khan Bahadur Mian Mushtaq Ahmad Gurmani. His amendment No. 3 is clearly out of order and I rule it out accordingly. As regards his amendment No. 2, if the honourable member is prepared to omit the words 'on a particular subject' from line 3 of his explanation, I will hold it in order subject, of course, to such other amendments, in respect of the vernacular being Hindi, Gurmukhi, etc., as may be moved. But if the honourable member insists upon retaining the words 'on a particular subject', I am afraid I shall have to rule the amendment as out of order.

**Subedar Major Raja Farman Ali Khan** (Gujar Khan, Muhammadan-Rural) (*Urdu*): Sir, I am really very sorry to see that great injustice is being done to the non-English knowing members whenever any motion is moved in the House. We are at a loss to understand as to what the honourable mover is saying. The Government has done great injustice to the rural population of the country by incorporating Section 85 in the Government of India Act. In urban areas we find graduates and pleaders in abundance who can speak as well as understand English very well. But we, the representatives of rural areas of the province, find it extremely difficult to take part in the business of the House. The people who have elected us are not acquainted with the English language and there is no gainsaying the fact that by far the largest number of voters in the province do not understand English.

It is very difficult for us to forsake our self-respect, honour and conscience. We are often told that we should vote in favour of such and such a matter. But how can it be possible for us to support any motion when we do not know what is going on in the House. (*Cheers*). Through you, Sir, I warn the Government that if such a state of affairs is allowed to continue we would flatly refuse to vote in favour of the Government in future. (*Cheers from the Opposition benches*). And there is no doubt about the fact that such action on our part would obstruct the business of the House. I again wish to point out to the Government benches that Urdu-speaking members would not use their votes in favour of the Government unless they have a full knowledge of the business of the House. (*Cheers from the Opposition benches*). When the honourable members of the House are making speeches in English it is extremely difficult for us to know whether they are speaking in favour of a motion or against it.

Sir, my humble submission is that we cannot be expected to act upon any ruling given by the Chair or any order given by the Leader of House, unless we know what the ruling or the order is. Sir, we cannot give up our

mother tongue. The English language is just like a step mother to us. We do not like it but we are being forced to love it. (*Applause*).

Sir, my submission is that you have been working in this House in the capacity of a President and a Speaker since 1922 or 1923. And your remarkable services have been highly appreciated by all and sundry. We respect and honour you in our heart of hearts and it would be only meet and proper if you find for us a way out of our difficulty. Besides, I fail to understand what peculiar difficulties stand in your way to accede to our wishes when the Honourable Speaker of the United Provinces Legislative Assembly has already allowed the honourable members of that House to make speeches in their own vernacular. I do not know how the Honourable Speaker of the United Provinces Legislative Assembly managed to get over this difficulty. But the fact remains that he has somehow or other allowed the members of that Assembly to make speeches in their mother tongue. Why should not our Speaker follow suit? The 'git mit' of the English speaking members is nothing but a disorderly music in our ears. It is a pity that when we go out of this House and people ask us as to what happened about such and such a matter in the Assembly Chamber, we have to plead our ignorance. Besides, when the reports of the proceedings of the House are published in the newspapers, we are surprised to find that in spite of our presence in the House, we are as much ignorant of the proceedings of the Assembly as a man in the street. The only reason for this state of affairs is that section 85 of the Government of India Act prohibits us from making speeches in our own mother tongue. It is not fair that for the sake of a few westernised gentlemen the majority of Urdu-speaking members should be deprived of their right of intelligently following the proceedings of the House. I would appeal to the Honourable Speaker that so long as the Act is not amended he may very kindly allow an interim rule to be framed permitting us to speak in the vernacular of the province.

**Begum Rashida Latif Baji** (Inner Lahore, Muhammadan Women, Urban) (*Urdu*): Sir, it is obvious that we were granted franchise on the basis of mere literacy but I am sorry to observe that in this Assembly we have been rendered dumb and deaf by virtue of the provisions of the Government of India Act in as much as we are not allowed to express our views in our mother tongue. As a matter of fact we cannot even understand what other honourable members say in the foreign language. Consequently those members who do not know English are disabled from taking an intelligent part in the proceedings of the House. I do not think that a majority of the members speak in English out of love for the language, but they do so only to keep their prestige outside just as is the case with the lawyer members of this House. They employ English as medium of expression in order to make a show of their ability otherwise they are afraid of their legal profession being adversely affected. Besides, some of those who are graduates and double graduates find it sometime difficult to express their views in English and waste the valuable time of the House in murmuring 'ah, ah, ah' in order to find out suitable expression in the English language. If the restrictions imposed on the speeches to be made in Urdu are removed much time will be saved and business of the House will be expedited. Permit me, Sir, to ask one pertinent question and it is, what is the use of allowing a person of ordinary education to become a member of this House when he or she would not be

[Begum Rashida Latif.]

able to understand the English speeches made by other members? The Government will be well advised to enact that only graduates would be eligible to seek elections to the Assembly, but thereby you will be debarring some of the best patriots from coming into the Assembly. Well, Sir, when we cannot understand the language in which the proceedings of the House are being conducted we are as good as deaf and dumb.

In view of these difficulties I would appeal to you, Sir, and through you to the House to see that no restrictions whatever are placed on the use of our mother tongue.

**Mr. Speaker :** I am in fullest sympathy with such honourable members as cannot speak in or understand English. There can be no two opinions that section 85 of the Government of India Act is the most undesirable provision and should be modified, therefore, at the earliest possible opportunity. This matter requires earliest attention of the Government. So, I, on behalf of this House and through the Honourable Premier, appeal to the Local Government, nay to the Government of India to modify the section at the earliest possible opportunity. Let us appeal to the Honourable Premier and to the ministers to take up this important and urgent matter most immediately. One word more and I have done. Some gentlemen say that I should allow this or that language to be used. I shall be only too glad to do what they want, provided the law permits me. Honourable members have heard the opinions of the learned Advocate General, the Premier, Diwan Chaman Lal, Mr. Manohar Lal and Mir Maqbool Mahmood. Unfortunately I am not in a position to do what they wish me to do. (*Voices : You can allow.*) How can I allow? I wish I could.

**Dr. Sir Gokul Chand Narang** (West Lahore Division, General, Rural): I was not present when the legal opinions were given by the legal luminaries here but I believe the opinion was that the provision is mandatory. There could not be anything more than that. But I think that even if the word 'shall' is used in this section, it is no more than a pious wish, a wish by an authority which is outside our country. The law-makers are not our own people. They had certain reasons of their own to impose the English language on us. I now ask you whether there is any penalty against you if you break this rule. You will remember that I put you this question at Simla and you were not pleased to answer it. Perhaps you misunderstood it. I ask you, what is the penalty against you if you break this bad, unfortunate and anti-national provision? Why do you treat it as so sacred as not to touch it and break it?

**Mr. Speaker :** My only answer to the suggestion is that I do not wish to be a law breaker. We are law makers, not law breakers. So, I would be the last to break the law in force. We are creatures of law. It is very easy to say 'ignore the law, break it, do not care for it'. But I am a lawyer myself. Therefore I cannot go against my conscience as a lawyer. My position is extremely difficult and awkward. So, let us appeal unanimously to the higher authorities through our Honourable Premier that this matter requires earliest attention and that the needful may be done at the earliest possible opportunity.

**Mian Abdul Aziz :** I would submit, why not break the law, when ....  
(Interruptions).

**Dr. Shaikh Muhammad Alam :** You say that it is not constitutional for you to send a cablegram to the Home Government. Why should you not take up the matter when the House is authorising you to do so ?

**Premier :** Sir, I entirely agree and am at one with all those members who consider that this section of the Act is most unfortunate in its rigour. It hampers our proceedings, and offers an obstacle in the way of our expression. It is not only so to those honourable members who cannot understand English, but it is also very embarrassing to me and my colleagues when we want to convey our views to those honourable members who cannot understand English. As some honourable members opposite have said, after all English is not our mother tongue. We could be more eloquent—as eloquent as my honourable friends opposite—in our own mother tongue, and more effective in conveying our views far better and in a much more concise and clear form than in a foreign language. I am at one with them. But so long as that section is there our hands are bound. As you are aware this Government has already strongly recommended to the Government of India that an amendment to the Act should be made at once. My information is that they have forwarded the recommendation to the Home Government and that the amendment will probably be taken up in Parliament at an early date. I propose after this discussion is over, to send a further urgent reminder to them to expedite the matter. Unfortunately, as you are aware, in Parliament, it is sometimes months before an item is taken up for discussion, because their time is engaged well in advance. Therefore it is quite possible that the matter has been delayed; or it may be that other provinces have made other recommendations with regard to this technical matter. I am not aware of it, but I know that the Government of India have addressed the Home Government on the subject, and we will remind them again and will impress upon them the necessity of expediting decision on the appropriate amendment of the Act as soon as possible. I do not think I can say anything more on the subject. We are in the fullest agreement and sympathy with the honourable members who wish that this section should not have been enacted at all.

**Malik Barkat Ali :** I have heard your speech, and the last remark made by you on section 85. I desire to bring to your notice certain considerations which to my mind constitute no obstacle whatever in the way of this House passing this rule to the effect that it shall be open—

**Mr. Speaker :** That matter has been discussed. Unfortunately the honourable member was not present, otherwise the House would have been pleased to hear him.

**Malik Barkat Ali :** Khan Bahadur Mian Mushtaq Ahmad Gurmani's amendment is being discussed. The Parliamentary Secretary has moved his amendment. I feel it is necessary that in view of the criticism to which section 85 has been subjected, to inform the House through you that there is nothing in section 85 which debars this House to make rule so as to enable any member to speak in his mother tongue whether it be Urdu or Punjabi.

**Mr. Speaker :** There we differ.

**Khan Bahadur Mian Mushtaq Ahmad Gurmani** (Parliamentary Private Secretary) (*Urdu*): Sir, I would like to submit that you have remarked that the proviso of section 85 of the Government of India Act does not empower this House to frame rules to determine as to who are not sufficiently acquainted with the English language.

**Mr. Speaker**: I did not say that. All I said was that that point was not quite clear.

**Khan Bahadur Mian Mushtaq Ahmad Gurmani**: I would like to point out that if the proviso of section 85 of the Government of India Act means that the implications of the provision to make rules are much limited, I have nothing to say.

**Mr. Speaker**: The question now is whether or not the honourable member is prepared to move his amendment omitting the words "on a particular subject."

**Begum Rashida Latif Baji**: If this Act cannot be amended, permit us to bid adieu to this House. It is no use coming when we cannot follow most of the deliberations of this House.

**Khan Bahadur Mian Mushtaq Ahmad Gurmani**: Sir, in view of the legal intricacies you expressed—

**Mr. Speaker**: I must go by the legal opinion. I am not prepared to accept the honourable member's opinion.

**Khan Bahadur Mian Mushtaq Ahmad Gurmani**: I admit that many lawyer members of this House have expressed their opinions. But Sir, the final decision rests with you.

**Pir Akbar Ali**: Sir, the matter must be decided by votes.

**Mr. Speaker**: Had it not been a question of interpretation, I should have been too glad to accept the opinion of the majority. (*Interruption*).

**Pir Akbar Ali**: The matter must be decided by vote and by a majority of votes. If the majority interprets the thing in one way, that must be the law. You cannot ignore it. I submit that the interpretation put by two gentlemen cannot be accepted by us.

**Mr. Speaker**: The honourable member is not speaking from his seat. I fully realise the awkward position of the honourable members, but what cannot be cured must be endured. Does the honourable member wish to move his amendment?

**Khan Bahadur Mian Mushtaq Ahmad Gurmani**: I have already moved it. (*Interruptions*).

**An Honourable Member**: It is our greatest misfortune that the Speaker cannot go against the law. (*Interruptions*).

**Mr. Speaker**: Order, order. If whisperings and conversations are not stopped, I shall have to adjourn the House.

**Premier** (The Honourable Major Sir Sikander Hyat-Khan): May I make a suggestion? There seems to be considerable confusion with regard to the various amendments proposed to be moved in this House, and the House seems to have lost count of the various amendments which are on the agenda paper. You are at one with us in this matter and naturally you

desire to see that every facility is provided to the members. I suggest that this particular rule may be left over. Let the House consider it at the next meeting, in the meantime let us go on with the other rules.

**Mr. Speaker :** I am going to put this motion to the vote of the House. The question is—

That further consideration of rule 50 be postponed to some future date and in the meantime we may proceed with the following rules.

*The motion was carried.*

**Mr. Speaker :** I think the Leader of the House should be formally authorised by the House to take early steps to have section 85 of the Government of India Act modified at the earliest possible opportunity.

**Mian Abdul Aziz :** That is why I wanted to move that this House request the Honourable the Premier to inform the Government through proper channel or directly whatever may be permissible that he should ask that this section 85 should immediately be altered and that each legislature should be permitted to frame its own rules.

**Premier :** I have not quite followed what my honourable friend means. His motion is so long and so involved that it is not quite clear. All that the House need say is that Government should take immediate steps to request the British Parliament or the British Government through the Government of India to expedite their recommendation for the amendment of this particular section.

**An Honourable Member :** What is the recommendation ?

**Premier :** The recommendation which we have made is that every member should be allowed to speak in English or Urdu even if he knows English.

**Khawaja Ghulam Samad :** Every member in spite of the fact that he knows English sufficiently and adequately to express himself in English shall be allowed to speak in Urdu if he so desires or in any other vernacular of the province.

**Premier :** I do not think it is necessary for us now to pass any resolution. All that we wanted to convey we have already conveyed to the proper quarters and we want to further address on the matter, that every member should be at liberty, even if he knows English, to speak either in Urdu or in other vernacular of the province. That is the position which the Government has taken up.

4 P.M.

**Mr. Speaker :** May I know if honourable members support the following motion ? It has been suggested to me that I might take the sense of the House informally. (*Voices : What is the motion ?*)

“ This House recommends to the Government to take immediate steps to get into touch with authorities to obtain early amendment of section 85 of the Government of India Act for enabling every member of the legislature to speak in English or any language of the province.”

*The House agreed to the adoption of the motion.*

**Dr. Gopi Chand Bhargava :** All that I want to submit is that there are certain persons coming from Ambala side who do not know Urdu but only Hindustani. They may be allowed to speak in Hindustani.

**Premier :** That can be easily met. But that stage will come when we frame our rules. We have already said "Urdu" and within brackets "Hindustani".

**Mr. Speaker :** Consideration of rule 50 is postponed.

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*Rule 51.*

**Sardar Dasaundha Singh (Deputy Speaker) :** Sir, I beg to move—

That in lines 4-5, for the words 'made by a member', the words 'moved at a meeting of the Assembly' be substituted.

This amendment has been necessitated by the provisions of the Government of India Act. Section 51 of the Act empowers the Governor to appoint a Minister who is not a member of the House. Such a Minister under section 64 of the Act can speak in the House and can otherwise take part in the proceedings of the House.

Similarly, the Advocate-General, who is not a member of the House, can speak in the House and at the same time he can otherwise take part in the proceedings. To make this rule consistent with these provisions this amendment has been moved, because a Minister who is not a member of the House and the Advocate-General are according to the provisions of the Government of India Act entitled to move a motion.

**Mr. Speaker :** The question is—

That in lines 4-5, for the words "made by a member", the words "moved at a meeting of the Assembly" be substituted.

*The motion was carried.*

**Mr. Speaker :** The question is—

That rule 51 as amended be adopted.

*The motion was carried.*

---

*Rule 52.*

**Mir Maqbool Mahmood (Parliamentary Secretary) :** Sir, I beg to move—

That at the commencement of the rule, the following be added :—

"Save as otherwise provided in these rules".

And—

That in lines 2-4, the words "other than a motion for which a period is prescribed" be omitted.

*The motion was carried.*

**Pandit Muni Lal Kalia :** Sir, I beg to move—

That in line 2 of the proviso between the words "motion" and "to", the words "or amendment" be inserted.

It is a formal amendment only. As the marginal note in this rule contains the words "or amendment", therefore, wherever the word "motion" occurs, it should be followed by the words "or amendment".

**Mr. Speaker :** The question is—

That in line 2 of the proviso between the words "motion" and "to", the words "or amendment" be inserted.

*The motion was carried.*

**Mr. Speaker :** The question is—

That rule 52 as amended be adopted.

*The motion was carried.*

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*Rule 53.*

**Mr. Speaker :** The question is—

That rule 53 be adopted.

*The motion was carried.*

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*Rules 54—56.*

**Mr. Speaker :** The question is—

That rules 54, 55 and 56 be adopted.

*The motion was carried.*

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*Rule 57.*

**Sardar Dasaundha Singh (Deputy Speaker) :** Sir, I beg to move—

That line 1, for the word "made", the word "moved" be substituted.

*The motion was carried.*

**Mr. Speaker :** The question is—

That rule 57 as amended be adopted.

*The motion was carried.*

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*Rules 58—60.*

**Mr. Speaker :** The question is—

That rules 58, 59 and 60 be adopted.

*The motion was carried.*

---

*Rule 61.*

**Dr. Gopi Chand Bhargava :** Sir, there is going to be a discussion on this rule. As the time is not sufficient, therefore, I suggest that its discussion may be postponed to a future date.

**Mr. Speaker :** The question is—

That the discussion on rule 61 be postponed to a future date.

*The motion was carried.*

*Rule 62.*

**Pandit Muni Lal Kalia** (Ludhiana and Ferozepore, General, Rural) :  
Sir, I beg to move—

That the proviso to sub-rule (3), be deleted.

The present proviso is as follows :—

“ Provided that if in his opinion the division is unnecessarily claimed, the Speaker may call upon the members who support the claim for division and those who challenge his decision to rise in their places, and he shall thereupon, as he thinks fit, either declare the determination of the Assembly or proceed to the division ”.

My submission is that as a matter of fact the opinion of the House is ascertained by the Speaker in the form ‘ ayes ’ and ‘ noes ’. If this proviso is retained, there would be repetition of challenging his decision. It is an innovation so far as the practice of this House and conventions in other Parliaments are concerned. By introducing this proviso in section 62, it would mean that in no time the members who want a division, would be in a position to show whether there is a substantial difference on a matter, which is before the House. It so happens that ‘ ayes ’ and ‘ noes ’ are not so significant as to decide which member is to go to which lobby and if it often happens—and there are rulings to this effect—that sometimes members say ‘ aye ’, but at the time of going to lobbies, they can change their opinion and *vice versa*. It is open to any member who says ‘ aye ’ to go to the ‘ noes ’ lobby.

**Mr. Speaker** : No. He cannot do this.

**Pandit Muni Lal Kalia** : He can change his opinion.

**Mr. Speaker** : No. A member is bound by his voice and cannot vote contrary to it. According to Parliamentary practice the voice binds the vote. Therefore, a member who gives his voice with the “ ayes ” (or “ noes ”) when the Speaker takes the voices, is bound to vote with them.

**Pandit Muni Lal Kalia** : There is another difficulty if this proviso is retained. It will debar the House of its right to claim a division.

**Mr. Speaker** : I think the amendment is out of order. The question is—

That rule 62 be adopted.

*The motion was carried.*

*Rule 63.*

**Mr. Speaker** : The question is—

That rule 63 be adopted.

*The motion was carried.*

*Rule 64.*

**Diwan Chaman Lall** (East Punjab, Non-Union Labour) : I beg to move—

That in line 5, for the word ‘ may ’ the word ‘ shall ’ be substituted ; and

In lines 5-6, the words ‘ on a substantive motion carried by the Assembly ’, be omitted.

My reason for moving this amendment is very simple. In a question where a member has got pecuniary interest there should be no question of any discretion being vested in him in the matter of vote. What the House should do is to ask him not to vote. In the House of Commons a member who has a direct pecuniary interest may not vote in order to protect his own interest. But it is a different matter in India. Therefore it should be made a definite, mandatory and irrevocable rule that any member who has any pecuniary interest shall not be allowed to vote.

**Mr. Speaker :** Rule under consideration, amendment moved—

That in line 5, for the word 'may' the word 'shall' be substituted, and

In lines 5-6, the words 'on a substantive motion carried by the Assembly' be omitted.

**Premier** (The Honourable Major Sir Sikander Hyat-Khan) : I may tell the House that this rule has been framed more or less on the same lines as the rule of the House of Commons. The reason why the word "may" is used here is this. If the word 'shall' is used the member cannot dare to vote. But if the word 'may' is used, if any member takes objection to that member taking part in the division, that member will have an opportunity to prove that he has no pecuniary interest in the vote. This will give an opportunity to decide whether a member has any real interest in the vote or not. For instance, if a member votes on a question and subsequently somebody gets up and says he has got an interest in the vote, that member should have an opportunity of explaining that he has no such interest. He should have an opportunity to lay before the House what he has got to say and then the House shall decide whether he should be debarred from voting or not. I do not think my honourable friend will gain anything by moving the amendment. The House can take action only if somebody brings to the notice of the House that some particular member has pecuniary interest in the vote. I believe there is no harm in the existing language of the rule. It is identical with the language used in the rule of the House of Commons.

**Diwan Chaman Lall :** What the Premier says is true. This rule is identical in language with the rule in the House of Commons. But the only point on which there is no identity is on the question of penalty. What is to happen if a member having pecuniary interest votes? In the House of Commons the penalty is very severe, but no such penalty is provided in our rules except that his vote is disallowed. That is the reason why I moved this amendment. But if there is any doubt as to the usefulness of my amendment I am prepared to withdraw it.

**Mr. Speaker :** No penalty is imposed in the House of Commons, if a member, who has a pecuniary interest in any question, votes on that question, the only penalty is that if objection is taken in time and in proper form his vote is disallowed.

*The motion was by leave withdrawn.*

**Mr. Speaker :** The question is—

That rule 64 be adopted.

*The motion was carried.*

*Rule 65.*

**Sardar Hari Singh :** I beg to move—

That the following sub-rule be added :—

“(3) In case of sickness or infirmity, a member may by special indulgence of the House speak sitting”.

**Mr. Speaker :** Rule under consideration, amendment moved—

That the following sub-rule be added :—

“(3) In case of sickness or infirmity, a member may by special indulgence of the House speak sitting”.

**Premier :** I do not think such a rule as this is necessary. I do not think the House will be so callous as to ask any member who is sick to get up and speak.

**Sardar Hari Singh :** I do not think there is any harm in having a provision like this.

**Premier :** We should not unnecessarily burden our rules.

**Sardar Hari Singh :** If that is so, I beg leave to withdraw the amendment.

*The motion was by leave withdrawn.*

**Mr. Speaker :** The question is—

That rule 65 be adopted.

*The motion was carried.*

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*Rule 66.*

**Mr. Speaker :** The question is—

That rule 66 be adopted.

*The motion was carried.*

*The Assembly then adjourned sine die.*

# INDEX.

## Vol. II.

	PAGES.		PAGES.
<b>A</b>		<b>ACHTUTS—</b>	
<b>ABATTOUR—</b>		Question re—	
Question re — Scheme at Lahore Cantonment ..	207	In the Provincial Civil Service District Boards, Hoshiarpur and Jullundur and the— ..	508
<b>ABDUL AZIZ, MIAN—</b>		Government Schools in Jullundur Division and the — ..	507
Forest Board. Election of members to Punjab, ..	896—8	Panchayats and the — ..	507
Transaction of business ..	78	Unemployment among — ..	505
Questions, Admissibility of — ..	823	Remissions of Taqavi loans to —	506
Answers to questions ..	834	Share of — in the village Shamlat ..	504
Rules of Procedure. Adjournment motion. Restriction on —	1037—39	In Education Department ..	513
Resolution re repairs to the Badshahi Mosque, Lahore ..	530—34, 557	In Excise Department ..	513
Point of order re Parliamentary Private Secretaries, moving of resolutions by— ..	612	In Buildings and Roads Branch in the Office of the Director of Land Records ..	512
<b>ABDUL HAYE, THE HONOURABLE MIAN—</b>		In Financial Commissioners' Office ..	512
Bill, Health Insurance — The Punjab— ..	707, 708—10	In Rural Reconstruction Department ..	511
Adjournment motion re Relief to peasants of certain villages in Tahsil Tarn Taran ..	146	In the Irrigation and Revenue Departments ..	506
<b>ABDUL QAYUM—</b>		In Punjab Government Printing ..	511
Question re Haji — ..	42	Government officers and — ..	509
<b>ABDUL RAHMAN—</b>		In the Government Information Bureau ..	510
Question re cases of Benami transactions decided by, Tahsil-dar ..	977	In Public Health Department ..	563
<b>ARIANA—</b>		In Revenue Department ..	510
Question re remission in land revenue and — in Montgomery district ..	957	In Punjab Civil Secretariat ..	509
<b>ARIANA RATES—</b>		In Industries Department ..	564
Question re — in Gurgaon and Rohtak Districts ..	1090—93	In Offices under the High Court ..	509
<b>ABOLITION—</b>		In Electricity Branch ..	564
Question re — of Malba in the new settlement of Amritsar District ..	989	In Forest Department ..	569
<b>ABOLITION OF NOMINATED BLOCK—</b>		In Co-operative Department ..	564-65
Question re resolution passed by the Lyallpur Municipal Committee re — ..	657	In the Public Works Department ..	569
<b>ASSOCIATES—</b>		And Ferries of River Beas ..	565
Question re — ..	693-94	<b>ACQUISITION OF LAND—</b>	
Question re — ..	682	Question re — for Havell Project ..	25
Of 1914-15 Conspiracy Case ..	682	<b>ACREAGE RATES—</b>	
Shot dead by the Police in Amritsar District ..	992	Question re — ..	362
<b>ACCIDENTS—</b>		<b>ACT—</b>	
Question re motor — ..	6	Resolution re Northern India Canal and Drainage — ..	610—27
<b>ACHTUT STUDENTS—</b>		<b>AD DHARAM'S CONFERENCE—</b>	
Question re Scholarships for — ..	504	Speech of the Honourable Minister of Development at the Punjab — ..	491
		<b>ADDITIONAL POLICE—</b>	
		Question re representation against the—village Sahungra ..	602
		<b>ADDITIONAL POLICE POST(S)—</b>	
		Question re — ..	
		Recoveries on account of — at village Jahima ..	675
		Cost of — at village Vehgal ..	676-77

ADDITIONAL POLICE POST(S)—*concl'd.*

## Question re —

Cost of — at villages Cheema and Dabli ..	674-75
Cost of — at village Narwar ..	134-35
Cost of — at village Hardo Sahari ..	135-36
Cost of — at village Sur Singh ..	329, 330, 331

And refund of sale-proceeds of two horses ..	326
At village Sur Singh, Tahsil Kasuri ..	760
Cost of — at Nardi ..	761
Cost of — located at villages Rajoke and Wan ..	783-84
At village Sur Singh ..	418
Costs of — at village Dhardev ..	418
At Kathabi Khurd ..	426
Working of the — at Dhardeo ..	426
Cost of — at Harse Chinna ..	325
Withdrawal of — from village Dhardev ..	325
Costs of — located at villages Cheema, Asal Autar, and others ..	516
Refund of the sale-proceeds of horses of — ..	233-34
Cost of — at villages Manga and Tharra ..	672-73
Refund of the cost of — quartered at village Jahman ..	672
Cost of the — at village Jhaman ..	671-72
At Dhardev ..	1029
In Hoshiarpur District ..	139-141
In District Jullundur ..	1000
Amount waived off out of the cost of — in Lahore District ..	142
In Ferozepore district ..	133
At villages Burewala and Mar Balochan ..	136-137
Rules regarding — calculations and recoveries ..	234
Cost of — at villages Mudki, Kot Karor, etc. ..	419
Costs recovered from village Sur Singh ..	235

## ADJOURNMENT MOTION(S)—

Re campaign of repression ..	50
Multiplicity of — ..	332-35
Re plunder of rice by Mussallis ..	143-144
Re Police raid in village Katani ..	51-52, 164-187
Re Political workers, arrest of — ..	50-51
Re Punjab Political prisoners' Release Committee, procession of — ..	804
Re relief to peasants of certain villages in Tahsil Tarn Taran ..	144-46, 239-81

Re remarks of Premier in connection with certain political cases ..	51
---------------------------------------------------------------------	----

## PAGES.

ADJOURNMENT MOTION(S)—*concl'd.*—

Re strike by owners and drivers of motor taxis ..	339-59
Re strike of owners and drivers of motor taxis ..	238-40
Re voluntary surrender of part of salaries and allowances by Ministers and their Secretaries ..	45-47
Re anti-Congress campaign by members of Punjab Cabinet ..	48-49
Question re Deva Singh, Lambardar, and the — re police raid on Kathanian ..	323
Rules of procedure ..	1126-27
Rules of procedure ..	1026-17
Disallowance of — ..	806

## ADJOURNMENT ON FRIDAYS —

Assembly — ..	337
ADJUSTMENT— ..	..

Question re — of the surplus amount realised from municipalities in Lahore and Multan Divisions ..	1110-11
----------------------------------------------------------------------------------------------------	---------

## ADMINISTRATION OF JUSTICE—

Supplementary Demands — ..	466
----------------------------	-----

## ADMINISTRATOR, LAHORE MUNICIPALITY—

Question re principle observed by — in discharging its employees ..	1112-13
---------------------------------------------------------------------	---------

## ADVERTISEMENT(S)—

Question re Official and court — ..	24-25
-------------------------------------	-------

## ADVOCATE-GENERAL—

Rules of procedure— ..	..
Arrangement of business ..	148

## AFZAL ALI HASNIE, SAYED—

Adjournment motion re relief to peasants of certain villages in Tahsil Tarn Taran ..	261
--------------------------------------------------------------------------------------	-----

## AGE LIMIT—

Question re — ..	37
------------------	----

## AGENCY—

Question re — to detect cases of corruption against police ..	587
---------------------------------------------------------------	-----

## AGRA-JUMNA CANAL—

Question re water rates on — ..	530
---------------------------------	-----

## AGRICULTURAL PRODUCER—

Resolution re exemption from attachment of — ..	627-47
-------------------------------------------------	--------

## AGRICULTURAL LAND—

Question re decree passed on — by Subordinate Judge, Gujrat ..	781
----------------------------------------------------------------	-----

Question re — ..	..
Decree passed on — by Subordinate Judge, Gujrat ..	766-68

Question re mortgages of — in Rawalpindi District ..	979-1000
------------------------------------------------------	----------

Question re decrees passed in case of — by Subordinate Judge, Gujrat ..	990
-------------------------------------------------------------------------	-----

## AGRICULTURAL FARM—

Question re Government — Jullundur ..	114
---------------------------------------	-----

## PAGES.

PAGES.		PAGES.
	<b>AGRICULTURAL DEPARTMENT—</b>	
	Question re —	
	Provincial and Subordinate services in — Veterinary and Industries Departments ..	697
	Working on — in Dipalpur and Pakpattan tahsils ..	132-33
	<b>AGRICULTURISTS—</b>	
	Question re grant of lands to — in Ambala District ..	569-70
	<b>AGRICULTURAL TRIBES—</b>	
	Question re representation of — in Police force, Gurgaon ..	1094
	<b>AGRICULTURE—</b>	
	Question re scheme to combat menace to — in Hoshiarpur, etc. ..	291
	<b>AGRICULTURIST DEBTORS—</b>	
	Question re arrest of — in Karnal District ..	803
	<b>AGRIKIS—</b>	
	Question re — of Rohtak District	195-96
	AHMAD BAKHSH KHAN, MR.	
	Reference to late — ..	142-43
	<b>AHRAHS—</b>	
	Question re Civil Disobedience movement by — ..	1126
	<b>AID—</b>	
	Question re — to Primary schools and elementary schools ..	381
	<b>AJIT SINGH, SARDAR—</b>	
	Resolution re — Nor thern India Canal and Drainage Act ..	620-21
	Question re — ..	32
	<b>AJNALA-KOTHI BHINDIAN ROAD—</b>	
	Question re — ..	92-93
	<b>ALI AKBAR, CHAUDHRI—</b>	
	Resolution re Northern India Canal and Drainage Act ..	619-20
	<b>ALLOTMENT OF TIME—</b>	
	Discussion of — for behaviour of processionists in connection with release of hunger strike prisoners ..	896
	For discussion of conduct of processionists ..	940-41
	<b>ALLOWANCE—</b>	
	Question re — to the members of the family of Sardar Chanan Singh, State prisoner ..	6
	<b>ALLOWANCES—</b>	
	Question re —	
	Expenditure incurred on — to Ministers and Parliamentary Secretaries ..	1101
	Expenditure incurred on — to the members and the staff of the Assembly ..	1102
	Travelling — and daily — ..	475
	<b>AMAR CHAND—</b>	
	Question re arrest of Kali Charan and — of Congress Committee, Ludhiana ..	974
	<b>AMAR NATH—</b>	
	Question re release of Kali Charan and — prisoners ..	698
	<b>AMBALA—</b>	
	Question re posts of Deputy Commissioner, District and Sessions Judge, and Senior Sub-Judge, at — ..	476
	<b>AMBALA CANTONMENT—</b>	
	Question re revised tax schedule for — ..	604
	<b>AMBALA DISTRICT—</b>	
	Question re —	
	Ferry Boat fares in — ..	887-88
	Scarcity of drinking water in certain villages in — ..	568
	Damage by Hill torrents in —	568-69
	Grant of lands to Agriculturists in — ..	569-70
	Inclusion of — in Scheme of Irrigation by tube-wells ..	570
	<b>AMBALA DIVISION—</b>	
	Question re non-agriculturist Hindu Naiti-Tahsildars taken from the — ..	872
	<b>AMENDMENT—</b>	
	Question re — of section 85 of the Government of India Act, 1935 ..	853-54
	<b>AMENDMENTS—</b>	
	Rules of procedure. Notice of motions or — ..	1152-53
	<b>AMJAD ALI SHAH, SAYED—</b>	
	Rules of procedure—. Language of the Assembly ..	1137-38
	Resolution re conduct of processionists at Lahore ..	1060-61
	<b>AMIR HAIDER—</b>	
	Question re confiscation of property of — ..	798
	<b>AMIR HAIDER KHAN—</b>	
	Question re — a Regulation III Prisoner ..	970
	<b>AMIR SHAH—</b>	
	Question re petition from the zamindars of village — ..	219-20
	<b>AMIN-UD-DIN, MR.—</b>	
	Question re dismissal or suspension of clerks by —, I. C. S. ..	596-97
	<b>AMRITSAR DISTRICT—</b>	
	Question re —	
	Police Chowkies in — ..	892
	Remission on account of damage by hailstorm in — ..	883
	<b>AMRITSAR CITY—</b>	
	Question re Irrigation pumps round — ..	945
	<b>AMRITSAR—</b>	
	Question re liquor shop at railway road, Amritsar ..	962
	<b>ANDAMAN PRISONERS—</b>	
	Question re release of — ..	745
	Question re — ..	976
	<b>ANGLO-VERNACULAR MIDDLE SCHOOL—</b>	
	Question re —	
	Badni Kalan ..	403
	Bela ..	652

	PAGES.		PAGES.
<b>ANNUAL INCOME—</b>		<b>ARREST AND DETENTION—</b>	
Question re — of District Board, Ludhiana .. .. .	230	Question re — of Ishar Singh, approver, in Bela Singh Murder Case .. .. .	477
<b>ANNUAL INSPECTION—</b>		<b>ASAL AUTAR—</b>	
Question re— of schools at Shahjahanpur and Chandpur on Jummat-ul-Wida Day ..	986	Question re costs of additional police post at village — ..	510
<b>ANSARIES—</b>		<b>ASSEMBLY CHAMBER—</b>	
Question re — .. .. .	41	Question re posting of police force outside the — ..	417
<b>ANTI-PHOOKA—</b>		<b>ASSEMBLY STAFF—</b>	
See Phooka		Question re expenditure incurred on allowances to the members and — .. .. .	1102
<b>ANTI-CONGRESS CAMPAIGN—</b>		<b>ASSESSMENT—</b>	
Adjournment motion re — by members of Punjab Cabinet..	48-49	Question re — of gardens to land Revenue .. .. .	1072-73
<b>APPEALS—</b>		Question re — Honourable Revenue Minister's opinion on — of land reve- nue .. .. .	405
Question re — by discharged em- ployees of Lahore Municipal Committee .. .. .	1112	<b>ASSESSMENT APPEALS—</b>	
<b>APPLICATIONS—</b>		Question re—before Commissioner, Multan .. .. .	492
Leave of absence, — of members for .. .. .	43	<b>ASSISTANT SUPERINTENDENT, JAIL—</b>	
Question re —for loan from In- dustries Department ..	113	Question re — .. .. .	39-40
<b>APPLICATION—</b>		<b>ASSISTANT PROFESSOR—</b>	
Question re — For transfer of Sardar Teja Singh Swatantar, a State Prisoner to another jail ..	961	Question re — Punjab Veterinary College .. .. .	85
By Shrimati Rameshwari Nehru .. .. .	1078-79	<b>ATA ULLAH—</b>	
<b>APPOINTMENTS—</b>		Question re — of Ludhiana Bomb Case .. .. .	402
Question re — made by the pre- sent Chairman, District Board, Ludhiana .. .. .	231	<b>ATARI-AJNALA ROAD—</b>	
<b>APPROPRIATION ACCOUNTS—</b>		Question re — .. .. .	93
Question re — for the year 1935- 36 .. .. .	14-16	<b>ATMA SINGH, SARDAR—</b>	
<b>AREAS—</b>		Question re inquiry on telegram sent by—, President, Municipal Committee, Sheikhpura. ..	1077
Question re — in the neighbour- hood of Sitpur in the Muzaffar- garh District .. .. .	363	<b>ATTACHMENT OF PROPERTY—</b>	
<b>ARREARS OF COSTS—</b>		Question re Civil Court decrees and — by Indian merchants resid- ing in cantonments ..	958
Question re — of Additional Police posts in district Feroze- pore .. .. .	137	<b>ATTACHMENT—</b>	
<b>ARREARS—</b>		Resolution re exemption from — of agricultural produce ..	627-47
Question re — of Punitive Police tax from village Sur Singh ..	603	<b>AUCTION—</b>	
<b>ARRESTS AND CONVICTIONS—</b>		Question re — of Muslim burial ground in Hansi .. .. .	1117
Questions re — in Hoshiarpur District .. .. .	313	<b>AUTHORIZED INVESTIGATION—</b>	
<b>ARRESTS—</b>		Question re — in Dera Ghazi Khan District .. .. .	236
Question re — Searches, — and externments in the Punjab .. .. .	1089	<b>AVERAGE INCOME—</b>	
In Punjab for political offences..	639	Question re — of a landholder in Beit Ilaga, Ludhiana ..	748
Of Kali Charan and Amar Chand of Congress Com- mittee, Ludhiana .. .. .	974	<b>AZAN—</b>	
Of agriculturist debtors in Karnal District .. .. .	803	Question re calling of — by Muslims of Raja Jang ..	994-95
In the Punjab on political grounds .. .. .	292	<b>B</b>	
Of Sardar Amar Singh, Bam- ral .. .. .	879-80	<b>BABAR AKALIES—</b>	
		Question re — .. .. .	101-102
		<b>BABAR AKALI PRISONER(S)—</b>	
		Question re — .. .. .	409
		Question re — .. .. .	408
		Confinement of — in cells ..	

	PAGES.		PAGES.
BABAR AKALI PRISONER(S)— <i>concl'd.</i>		BABAFIND—	
Question re—		Question re Bomb in a field at	
Release of —, etc. ..	407	—, District Jullundur ..	997
Piara Singh and others — ..	381	BARKAT ALI, MALIK—	
Suffering from tuberculosis		Resolution re exemption from	
and other diseases ..	388	attachment of agricultural pro-	
BABAR AKALI—		duce ..	629,
Question re—			646-47.
Master Dalip Singh — ..	297	Rules of procedure. Adjournment	
Hazara Singh, — ..	298	Motion procedure ..	1027
BABAR AKALI AND CONSPIRACY		Rules of procedure. Adjournment	
CASES PRISONERS—		motion. Restrictions on— ..	1037
Question re remissions to — ..	390	Rules of Procedure. Questions,	
BACKWARD CLASSES—		Supplementary — ..	831
Question re steps for uplifting the		Questions, Admissibility of —	825
— ..	699	Resolution re repairs to Badshahi	
BADNI KALAN—		Mosque, Lahore ..	546-47
Question re Anglo-vernacular		Supplementary demands. Pub-	
Middle School — ..	403	lic health. Participation of	
BADSHAHI MOSQUE—		Public Health Department	
Resolution re repairs to —,		in the All-India Exhibition	449-50,
Lahore ..	620-62		451.
BADSHAHI MUNICIPAL COM-		BASANT SINGH—	
MITTEE—		Question re Bhai — ..	27-28
Question re Medical Officers as		BASARKI DISTRIBUTARY—	
members for — and Shahabad		Question re outlet No. R. D.	
Municipal Committee ..	1117	41,888 ..	235
BAGHA PURANA-NIHALSINGHWALA		BAZAR COMMITTEES—	
ROAD—		Question re delegation of powers	
Question re — ..	878	to — by Cantonment Boards,	
BAKHSHI RAM—		Rawalpindi, Sialkot and others	1082
Question re Comrade — ..	766	BEGAR—	
BALAMBA MINOR—		Question re —	
Question re Commanded and		From villagers ..	225
Uncommanded area on —, dis-		From villagers of Gannaur ..	575
trict Rohtak ..	317	Punishment for exacting —	610
BALLABGARH POLITICAL CONFER-		In the Punjab ..	318
ENCE—		BERT ILAQA—	
Question re — ..	303	Question re average income of	
BALUCH DEPUTATION—		a landholder in —, Ludhiana ..	748
Question re a — ..	222	BELA—	
BALWANT SINGH—		Question re Anglo-Vernacular	
Question re jagir of A. E. S. — ..	604	Middle School — ..	652
BALWANT SINGH 'DUKHIA'—		BENAMI TRANSACTIONS—	
Question re Sardar —, a politi-		Question re cases of — decided	
cal prisoner ..	798-99	by Mr. Abdul Rahman, Tahsil-	
Question re — Classification of		dar ..	977
Sardar —, in jail ..	1072	BERI—	
Prosecution of Sardar — ..	293	Questions re Summer vacation	
BAN—		for High School, Municipality	
Question re—		Committee, — ..	391
On the political activities of		BEGGARY—	
management of denomina-		Bill, The Punjab Removal of, —	714,
tional schools ..	882		722-27.
On Dr. Hardyal to enter India	416	BHADAUR—	
On Government servants in		Question re Punitive Police Post	
Medical Department to		at — in Karnal District	678-79
join the Indian Medical		BHAGAT RAM CHODA, LALA—	
Association ..	416	Supplementary Demands—Miscel-	
BANASPATI GHEN—		laneous. Terms of reference	
Question re — ..	1117	of the Land Revenue Enquiry	
BARAGHAR—		Committee ..	462-63
Question re grants of land to		BHAGWAN SINGH LONGOWALIA,	
Tirni payers of — and Sayad-		SABDAR—	
wala Thanas ..	958-59	Question re —	
		Externment order to — ..	975

	PAGES.		PAGES.
<b>BHAGWAN SINGH LONGOWALLA,</b> <b>SARDAR—concl'd.</b>		<b>BILL—concl'd.</b>	
Question re—		District Boards (Amendment) —	
Extermment order served on—	595—96	The Punjab—	712—14
<b>BHAGWAN SINGH, SARDAR—</b>		Anti-Phooka — The Punjab —	727
Question re—	34	Alienation of Land (Amendment)	
<b>BHAKRA DAM SCHEME—</b>		— The Punjab —	
Question re —	90-91, 950	Introduction —	812
	1117	Reference to Select Committee —	812
<b>BHANGALI—</b>		Motor Traffic Offences — The Punjab—	
Question re Sardar Tej Singh, a political worker of village —	1002	Introduction —	809
<b>BHARAT INSURANCE COMPANY—</b>		Reference to Select Committee —	809—12
Question re petition case of —	1119	Land Revenue (Amendment) —	
<b>BHATIA, DR. B. L.—</b>		The Punjab —	727—29
Question re —		Municipal (Amendment) — The Punjab —	731—34
Retirement of —, P. E. S. —	487	Wages, Fixation of minimum rates of — The Punjab —	719—22
Research by — in Zoology —	593	Village and Small Towns Patrol (Amendment) — The Punjab —	729—31
Supersession of —	595	Unemployment Insurance. — The Punjab —	702
Retirement of —	593, 594	Removal of Beggary — The Punjab —	714
<b>BHATOLI—</b>			722—727
Question re scarcity of drinking water in village —, district Kangra —	591	Muslim Aqaf — The Punjab —	734-35
<b>BHIM SEN SACHAR, LALA—</b>		<b>BINDA SABAN, R. B. LALA—</b>	
Adjournment motion re relief to peasants of certain villages in Tahsil Tarn Taran —	145	Resolution re repairs to Badshahi Mosque, Lahore —	546
Rules of procedure—		<b>BINDA SINGH—</b>	
No confidence motion in Ministry —	1010-11	Question re S. D. O., Pindi Gheb and Sardar —	12-13
Questions, admissibility of —	254-55	<b>BLACK LIST—</b>	
Language of the Assembly —	1144-45	Question re political workers on the —	681
Answers to questions —	837-38	<b>BLANKETS—</b>	
Resolution re exemption from attachment of agricultural produce —	637	Question re Octroi duty on — and Pattus in Simla and Kangra districts —	885-86
Point of order re the practice of calling members to speak —	262	<b>BOARD—</b>	
<b>BHIVANI BRANCH—</b>		The Punjab Forest, elections to the —	896—98
Question re closure of outlets on the —	318	<b>BOAT DISASTER—</b>	
<b>BHULLAR—</b>		Question re —	226
Question re compulsory attendance of people of locality in a meeting addressed by Ministers at —	490	<b>BOMB CASE, LUDEHIANA—</b>	
<b>BHUNGAONI VILLAGE—</b>		Question re Ata Ullah of —	402
Question re proclamation by beat of drum in —	580	<b>BOMB—</b>	
<b>BIHTA TRAIN DISASTER—</b>		Question re — in a field, at Bara-pind, District Jullundur —	997
Question re compensation to Punjabee victims of —	215-16	<b>BOOKLET—</b>	
<b>BIHLA—</b>		Question re a — "Jangal ki Dastan" —	592
Question re Kot, — etc., —	654	<b>BOOKS—</b>	
<b>BILGA—</b>		Question re proscribed —	688
Question re dispensary building at — District Jullundur —	681	<b>BORING—</b>	
<b>BILL—</b>		Question re — done in Hoshiarpur and Jullundur —	772
Land Revenue (Amendment) — The Punjab —	714—19	<b>BRANCH CANAL—</b>	
Hours of work — The Punjab —	702—707	Question re a — for irrigating Rakh Ghauspur, Kanwala, etc., —	801
Health Insurance — The Punjab —	707—712	<b>BREACH—</b>	
		Question re — in the canal near village Goendlanwala —	372

	PAGES.		PAGES.
<b>BREBS—</b>		<b>BARRIER—</b>	
Question re — to Wasil Baqi News and the treasurer ..	579	Question re Municipal Committee Simla, and Tara Devi — ..	994
<b>BREBBERY—</b>		<b>BYE-LAWS—</b>	
Question re — and black-mailing in village Badyala Sindhuani, District Sialkot ..	682-83	Question re — for Inspection of Records of Municipal Committee, Ludhiana .. ..	887
<b>BRIDGE—</b>		<b>C</b>	
Question re — over river Sutlej at Charota .. ..	651-52	<b>CANAL EXECUTIVE—</b>	
Question re — Across river Somb, in Ambala District .. ..	654	Question re powers of the — to hear complaints against zamin- dars .. ..	801-802
Near Manhala Canal Bungalow On the Ajnala Kothi-Bhindian road .. ..	135	<b>CANAL BANK(S)—</b>	
Construction of a—over Swan Nadi .. ..	93	Question re— Tau riders along the— in Lahore Compensation to zamindars for the earth dug out from their fields for repairing — ..	607 989-92
Across to Sakki Nulla .. ..	116	<b>CANAL—</b>	
Absence of — on drains near Dipalpur Canal .. ..	92	Question re breach in the — near village Goandlanwala ..	372
<b>BUDHLADA—</b>		<b>CANAL WATER—</b>	
Question re President, Small Town Committee, — ..	95-96	Question re grievances of zamin- dars not receiving — ..	380
<b>BUILDINGS AND ROADS BRANCH—</b>		Question re — for tanks in Hissar district .. ..	679
Question re representation of Muslims in Public Health and — of the Public Works Depart- ment .. ..	1001	<b>CANAL ROAD—</b>	
<b>BUILDING—</b>		Question re — of Rajbah Tarn Taran .. ..	992
Question re Dispensary— at Bilga, district Jullundur .. ..	681	<b>CANAL ROAD, LAHORE—</b>	
<b>BUILDING PLANS—</b>		Question re cycling on — ..	199
Question re — And lay-out plans rejected by Lahore Municipality ..	1106-1108	<b>CANCELLATION—</b>	
Of houses to be built at Lahore ..	1111	Question re — of Licences of Sardar Kundan Singh, etc. ..	406
<b>BUILDING PURPOSES—</b>		<b>CANDIDATES—</b>	
Question re size of plots of lands for — .. ..	687	Question re— List of — in the Deputy Com- missioner's Office, Ludhiana ..	109-111
<b>BUILDINGS—</b>		Deputy Commissioner, Jhang, and— for naib-tahsildarship ..	661
Question re new — for courts in Jullundur .. ..	769	<b>CANTONMENT BOARDS—</b>	
<b>BALLABGARH—</b>		Question re— Taxes by — in the Punjab ..	1062-83
Question re Secretary, Municipal Committee, — .. ..	597	Channel of correspondence be- tween — and Punjab Govern- ment .. ..	1081-82
<b>BUND—</b>		<b>CANTONMENT AREAS—</b>	
Question re — Loss due to construction of a— in River Markanda .. ..	583	Question re Civil Court decrees and attachment of property by In- dian merchants residing in — ..	958
In north of Sadhaura Town ..	1116	<b>CANTONMENTS ACT—</b>	
In the north of Sadhaura in Ambala District .. ..	997	Question re application of— to vil- lages Saila and Idgah in Jhelum district .. ..	998-99
<b>BURNING—</b>		<b>CARS—</b>	
Question re — of Guru Granth Sahib at Dipalpur .. ..	948	Question re lorries and — ..	567
<b>BUREWALA—</b>		<b>CASES—</b>	
Question re — additional police post at villages — and Mar Balochan .. ..	136-137	Question re— Agency to detect — of corruption against police. .. ..	687
<b>BURIAL GROUND—</b>		Number of — decided by Magis- trates in Ludhiana district ..	749-50
Question re auction of Muslim — in Hansi .. ..	1117		
<b>BUSINESS—</b>			
Programme of — .. ..	562		

PAGES.	PAGES.
<b>CASES—conold.</b>	<b>CHAMAN LALL, DIWAN—</b>
Question re—	Adjournment motions, disallow-
Under Section 124-A., Indian	ance of .. 804, 805
Penal Code .. 123	Allotment of time for discussion of
Under Criminal Law Amend-	conduct of processionsists .. 940-41
ment Act .. 601	Application of, for leave of absence
<b>CATTLE GRAZING—</b>	Bill. The Punjab anti-Phooka .. 727
Question re nuisance of — in Beit	Forest Board. Election of mem-
along the Sutlej river .. 784	bers to Punjab, .. 897-98
<b>CATTLE LIFTERS—</b>	Permission to, to come back to the
Question re — in Multan and	Chamber and resume his seat .. 1015
Montgomery districts .. 42-43	Point of order re starred questions
<b>CATTLE LIFTING—</b>	not reached during questions
Question re —, theft and burglary	hour .. 427
in Ferozepore district .. 693	Privilege of members .. 803-04
<b>CATTLE ROBBERY—</b>	Resolution re—
Question re — near village Kishan-	Exemption from attachment of
garh .. 398	agricultural produce .. 629, 641-42,
<b>CATTLE GRAZING TAX—</b>	643.
Question re — in Dhundhi estate	Repairs to Badshahi Mosque,
700	Lahore .. 551-53
<b>CATTLE BREEDING—</b>	<b>Rules of Procedure—</b>
Question re — in Ludhiana dis-	Absent member, vacation of
trict .. 115-16	seat of .. 906-907
<b>CARNIVAL COMPANIES—</b>	Adjournment motion, alteration
Question re — .. 689-90	in language .. 1127
<b>CELL(S)—</b>	Adjournment motion, Restriction
Question re separate — for	on— .. 1041-43,
terrorist prisoners .. 116-17	1046.
<b>CENSORING—</b>	Adjournment motion. Time for
Question re — of Subhas Chandra	discussion of — .. 1032, 1034-
Bose's Correspondence .. 296	35.
<b>CENTRAL JAIL, LAHORE—</b>	Answers to questions .. 841-42
Question re Hunger-strike by Political	Disqualification for voting on
Prisoners in — and Mont-	ground of pecuniary interest .. 1154-55
gomery Jail .. 1084-85	Language of the Assembly .. 1132-33
<b>CENTRAL WORKSHOPS—</b>	No-confidence motion in Minis-
Question re inquiry into the work-	try .. 914-15,
ing of Public Works Department	1017-18,
— .. 684	1022-24.
<b>CENTRAL ASIAN TRADERS—</b>	Privilege of members .. 916-11
Question re representation by the	Privilege motions .. 909
— and Charas Dealers Asso-	Questions, admissibility of, .. 817-18, 821,
ciation, Hoshiarpur .. 960	822, 824-25
<b>CEREBRAL MENINGITIS—</b>	Questions, starred, number of,
Question re — in Sialkot Jail .. 992-93	to be put by one member .. 899-901
<b>CERTIFICATES—</b>	Quorum — .. 1128-29
Question re — in criminal cases	Supplementary Demands—Edu-
given by Government Medical	cation .. 435-36
Officers .. 238	Supplementary Demands—Forests
<b>CHAIRMAN, DISTRICT BOARD, LUDHI-</b>	re purchase of crockery and fur-
<b>ANA—</b>	niture for Viceroy's visit .. 429-31
Question re appointments made by	Supplementary Demands—Public
the present — .. 231	Health—Participation of Public
<b>CHAIRMAN—</b>	Health Department in the All-
Question re differences between —	India Exhibition .. 444-46
and members of Lahore Im-	Supplementary Demand—Public
provement Trust .. 686	Health, Town Improvement
<b>CHAMKAUR—</b>	Trust .. 453, 454
Question re Road between Morinda	<b>CHAMAN SINGH, SARDAR—</b>
and — .. 887	Question re—
<b>CHAMAN LAL, MR.—</b>	Allowance to members of
Question re —, ex-chief reporter	family of—, State prisoner .. 6
of the Daily Hindustan Times	Question re — .. 884
1118	<b>CHAMAN SINGH—</b>
<b>CHAMBER (PUNJAB ASSEMBLY)—</b>	Question re Baba, —, a political
Question re inconvenience caused	prisoner .. 390
to members of the Assembly due	
to over crowding in the — .. 1121-22	

	PAGES.		PAGES.
CHANGARS AND GHANDILAS—		CIVIL DISOBEDIENCE MOVEMENT—	
Question re — in Ludhiana district .. ..	499	Question re — by Ahrars ..	1126
CHARAN SINGH—		CIVIL COURTS DECREES—	
Question re complaint made by —	742-43	Question re — and attachment of property by Indian merchants from residing in cantonments ..	958
CHARAS DEALERS ASSOCIATION—		CIVIL COURTS—	
Question re representation by the Central Asian Traders and —, Hoshiarpur .. ..	960	Question re appointment of clerks for — at Sardogha and Jhang	996
CHOWKIDARS—		CIVIL MEDICAL OFFICERS—	
Question re forced labour from — in Southern districts ..	579-80	Question re — .. ..	995-96
CHEEMA—		CIVIL PROCEDURE CODE—	
Question re costs of additional police post at village — ..	516	Resolution re notification under section 61 of — ..	627-47
CHICHAWATNI—		CIVIL JUDGES—	
Question re—		Question re Honorary Magistrates and — .. ..	871
Notified area .. ..	599-600	CIVIL WORKS—	
Notified Area Committee ..	599	Supplementary Demands— ..	466
Memorial sent by the inhabitants of — .. ..	599	CLAIMS—	
CHILD LABOUR—		Question re — of Muslim Rajputs of Ambala for Provincial Services .. ..	568
Question re — in Workshops ..	993	CLAXTON, MR.—	
CHILDREN—		Question re — Engineer, Dera Ghazi Khan .. ..	677-78
Question re milk for — and Municipal Committees of Jullundur and Hoshiarpur .. ..	504	CLERICAL STAFF—	
CHHOTU RAM, THE HONOURABLE CHAUDHAI SIR—		Question re recruitment of — by the District Judge, Hissar ..	400
Bill—		CLERKS—	
The Punjab Fixation of Minimum Rates of Wages, — ..	719-21	Question re—	
Hours of Work, The Punjab — ..	702,	Appointment of — for Civil Courts at Sardogha and Jhang .. ..	996
Supplementary Demands—Public Health Participation of Public Health Department in the All-India Exhibition .. ..	703-705.	Who applied for leave during 1937 to Deputy Commissioner, Ferozepore ..	699
CHOS—		Of Deputy Commissioner's Office, Ferozepore, who were given charge sheets during year, 1937 .. ..	699-700
Question re — in the Hoshiarpur district .. ..	506	Extensions to —, in the Education Department ..	1115-16
CHRISTIAN MEDICAL COLLEGE—		COGNIZABLE OFFENCES—	
Question re Women's —, Ludhiana .. ..	756-57	Question re — registered by Police Station, Beas .. ..	514
CHUNIAN TAHSIL—		COLLEGE—	
Question re water tax for waterlogged area in — .. ..	28	Question re Zoology in Pasrur—	593
CRIMINAL INVESTIGATION DEPARTMENT REPORTERS—		COMMISSION—	
Question re — at Lajpat Rai Hall	797	Question re — earned by Official Receivers .. ..	871
CINEMAS—		COMMITTEE—	
Question re — in Simla .. ..	26	Question re Chichawatni notified area — .. ..	599
CIRCLE ESTABLISHMENT—		COMMUNAL RIOTS—	
Question re — of the Haveli Project .. ..	893	Question re — and disturbances in the Province .. ..	1098-99
CIRCULAR—		COMMUNAL REPRESENTATION—	
Question re —		Question re —	
Regarding half-fee concession Issued by Government regarding prevention of corruption	289	Among Gazetted Officers of Irrigation Research Institute ..	979-85
CIVIL SURGEONS—		In Services .. ..	1095
Question re scales of fees charged by — etc. .. ..	237-38	In Clerical Staff, Hissar ..	399
CIVIL AND VETERINARY RURAL HOSPITALS—		COMMUNAL RIOTS—	
Question re — in Montgomery district .. ..	131-32	Question re — .. ..	299

	PAGES.		PAGES.
<b>COMMUNICATIONS—</b>		<b>CONSPIRACY CASE—</b>	
Question re—		Question re absconders of 1914-15 .. ..	682
In Dera Ghazi Khan district ..	866		
Scheme for improvement of —	573	<b>CONTRACT—</b>	
<b>COMPENSATION—</b>		Question re — for steel gates for Haveli Project ..	684
Question re—		<b>CONTRACTORS—</b>	
To persons required to leave portions of their sites for roads by Lahore Improvement Trust ..	1114-15	Question re—	
To zamindars for the earth dug out from their fields for repairing Canal banks ..	989-92	Of the Public Works Department, Buildings and Roads Branch ..	319
For the Land acquired for the Haveli Project ..	943-44	Of the Haveli Project ..	893-94
<b>COMPLAINT—</b>		<b>CONTRIBUTION—</b>	
Question re—		Question re — for Radio Station at Delhi ..	587
Made by Charan Singh ..	742-43	<b>CONSOLIDATION—</b>	
By zamindars of village Nadana ..	576	Question re — of holdings ..	296
Against a Police Constable named Din Mohammad ..	385	<b>CONSTITUENCIES—</b>	
Against a Policeman ..	226-227	Question re Lahore District Board ..	516
By Lala Deep Chand ..	763	<b>CONSTRUCTION—</b>	
Of corruption against police ..	587-89	Question re — of a Road between Samraia and Morinda ..	885
Of students of Industrial School, Hoshiarpur ..	501	<b>CONVICTS—</b>	
Powers of the Canal executive to hear — against zamindars ..	801-802	Question re—	
In Court of 1st class Magistrate at Ludhiana ..	741	In second Lahore Conspiracy Case ..	740-41
Made by villages Naggal, Khariar tahsil, etc. ..	655	Sentenced to transportation for life ..	134
Against Sub-Inspector of Police, thana Nowshehra, district Gujranwala ..	1674	Second Conspiracy Case ..	100-101
<b>COMMANDED AND UNCOMMANDED AREA—</b>		Gurdaspur Conspiracy Case ..	99-100
Question re — on Balamba Minor, district Rohtak ..	316	Bhagat Singh Conspiracy Case—	99
<b>COMPULSORY PRIMARY EDUCATION—</b>		<b>CO-OPERATIVE DEPARTMENT—</b>	
Question re — in Jagadhri ..	38	Question re Achhuts in — ..	564-65
<b>COMRADE GURMUKH SINGH—</b>		<b>COPYING FEES—</b>	
Question re hunger strike of — ..	1085-86	Question re — ..	216-18
<b>CONCESSIONS—</b>		<b>COPYISTS—</b>	
Question re — in fee for students belonging to scheduled castes ..	606	Question re — in District and Sessions Judges Courts ..	190
<b>CONCILIATION BOARD—</b>		<b>CORRESPONDENCE—</b>	
Question re —, Panipat ..	585	Question re channel of — between Cantonment Boards and Punjab Government ..	1081-82
<b>CONDUCT—</b>		<b>CORRUPT OFFICERS—</b>	
Resolution re — of processionists at Lahore ..	1047-69	Question re — ..	649-50
<b>CONFINEMENT—</b>		Supplementary statement re action taken against— ..	44
Question re — of Babar Akali prisoners in cells ..	408	<b>CORRUPTION—</b>	
<b>CONFISCATION—</b>		Question re — and Begar ..	378
Question re—		Question re —	
Of property of Amir Haider ..	798	Complaints of — against Police Agency to detect cases of — against Police ..	587-89
Of Newspaper "Kirti" ..	591	Circular issued by Government regarding prevention of — ..	291
<b>CONGRESS—</b>		In Hissar Courts ..	653
Question re—		<b>CORRUPTION DEPARTMENT—</b>	
Speeches made against the — by Minister for Development during his tours ..	972	Question re — ..	468
Tours in which Minister for Development addressed public meetings criticising — ..	966-69	<b>COST—</b>	
		Question re—	
		Of Additional Police Post at village Cheema and Dubli ..	674-75
		Of the Additional Police Post at village Jahman ..	671-72

	PAGES.		PAGES.
<b>COST—concd.—</b>		<b>CROP—</b>	
<b>Question re—</b>		<b>Question re—</b>	
Per unit — of production of electricity .. ..	774	Damage to paddy — in Sheikhupura and Gujranwala districts .. ..	609
Of Additional Police Post at Nari .. ..	761	Damage to — .. ..	111
Of Additional Police Post at village Sur Singh .. ..	329, 330, 331.	Damage to — in ilaqa Pachad, Dera Ghazi Khan .. ..	701
Of line to supply electricity to Delhi .. ..	774	Damage to — in Amritsar district .. ..	226
Of Additional Police Post located at villages Rajoke and Wan .. ..	783-84	Failure of maize, sugarcane and cotton — in Jullundur district .. ..	988
Of Additional Police Post at village Hardeo Sahari .. ..	135-36	Loss to rice — in Sheikhupura district .. ..	373
Additional Police Post — recovered from village Sur Singh .. ..	235	Loss to — in Gujranwala district, etc. .. ..	371
Of Additional Police Post at village Marwar .. ..	134-135	<b>COURSE—</b>	
Of Additional Police Post at villages Manga and Tharra .. ..	672-73	<b>Question re</b> change in the — of the River Ravi .. ..	1108
Of Punitive Police at villages Dall, Daberi, etc. .. ..	671	<b>COURT—</b>	
<b>COTTAGE INDUSTRIES—</b>		<b>Question re—</b>	
<b>Question re</b> encouragement of — .. ..	112-13	Definition of — .. ..	756
<b>Question re — .. ..</b>	1103	New buildings for — in Jullundur .. ..	769
<b>COTTON CROP—</b>		Of Stipendiary Magistrates, Jullundur .. ..	769
<b>Question re — in the Province .. ..</b>	944	Seating arrangements for public in various — in district .. ..	745
<b>Question re — .. ..</b>	86-87	Hoshiarpur .. ..	769
<b>COTTON—</b>		In Jullundur .. ..	
<b>Question re — .. ..</b>	301	<b>COURT NOTICES—</b>	
<b>Question re—</b>		<b>Question re</b> Newspapers and — .. ..	287
Failure of — in Ferozepore district .. ..	215	<b>CROWN LAND—</b>	
In Jullundur district .. ..	770	<b>Question re — .. ..</b>	947-48
<b>CRIMES—</b>		<b>CUT—</b>	
<b>Question re</b> number of — in 1936 .. ..	124	<b>Question re — in grants-in-aid to private schools .. ..</b>	975
<b>CRIMINAL LAW AMENDMENT Act —</b>		<b>CYCLING—</b>	
<b>Question re</b> cases under — .. ..	601	<b>Question re — on Lahore Canal road .. ..</b>	199
<b>CRIMINAL TRIBES—</b>		<b>D</b>	
<b>Question re — in Ludhiana .. ..</b>	498	<b>DACOITY—</b>	
<b>Question re — .. ..</b>	33	<b>Question re — committed in Mandhi-ali-Kalan, district Gurdaspur .. ..</b>	978
<b>CRIMINAL INVESTIGATION DEPARTMENT—</b>		<b>DAIRY FARMING—</b>	
<b>Question re</b> increase of strength of — .. ..	408	<b>Question re — in Ludhiana district .. ..</b>	113
<b>CRIMINAL WORK—</b>		<b>DAIS—</b>	
<b>Question re — done by Revenue officers in Ludhiana district .. ..</b>	749	<b>Question re</b> Training Centres for — in Rural Areas .. ..	892
<b>CRIMINAL TRIBES DEPARTMENT—</b>		<b>DAJAL WATER SUPPLY—</b>	
<b>Question re</b> keeping of milch animals by the officials of — .. ..	741-42	<b>Question re — Scheme .. ..</b>	700-701
<b>CRIMINAL CASES—</b>		<b>DAJAL—</b>	
<b>Question re — under sections 183, 332, and 353 .. ..</b>	236	<b>Question re</b> Drinking water facilities for — in Dera Ghazi Khan district .. ..	865
<b>CRITERIA—</b>		<b>DALHOUSIE MUNICIPAL COMMITTEE—</b>	
<b>Question re — for tenders for Haveli Project .. ..</b>	408	<b>Question re</b> Introduction of System of election in — .. ..	1108
<b>CROCKERY—</b>		<b>DALIP SINGH—</b>	
<b>Supplementary Demand—Forests re</b> purchase of — and furniture for Viceroy's visit .. ..	428-33	<b>Question re</b> Master, — Babar Akali .. ..	297

	PAGES.		PAGES.
<b>DAMAGE TO CROPS—</b>		<b>DEBTS—</b>	
Question re—		Question re methods of realisation	
In Ferozepore district ..	17-18	of — employed by transborder	
In Amritsar district ..	226	money-lenders .. ..	690
Question re — ..	85-86	<b>DECLARATION—</b>	
<b>DAMAGE—</b>		Question re Gour Brahmans in	
Question re—		Rohtak, Karnal, etc., declared	
By Waterlogging in Tahsil		as non-Agriculturists ..	577
Phalia .. ..	373	<b>DECREE—</b>	
To paddy crop in Sheikhpura		Question re—	
and Gujranwala districts ..	609	Passed on agricultural land by	
By Hailstorm in Nowshera Pan-		subordinate Judge, Gujrat..	766-68
uan, etc., in Tahsil Tarn		Passed on agricultural land by	
Taran .. ..	883	Subordinate Judge, Gujrat..	781
By Nakti Nadi .. ..	189-190	Passed in case of agricultural	
By Hill torrents in Ambala dis-		land by Subordinate Judge,	
trict .. ..	568-69	Gujrat .. ..	999
Of Kharif crop by floods ..	649	<b>DEEP CHAND—</b>	
To crops in ilaqa Pachad,		Question re complaint by Lala —	763
Dera Ghazi Khan .. ..	701	<b>DEFINITION—</b>	
Done to lands by Markanda		Question re — of 'Court' ..	756
Stream near Shahabad ..	1121	<b>DEHAT SUDHAN—</b>	
To village Bali in Rupar Tahsil		Question re — .. ..	747-48
by Hill Torrent .. ..	888	<b>DELEGATION (OF POWERS)—</b>	
<b>DASAUDDHA SINGH, SARDAR—</b>		Question re — of powers to Bazar	
Rules of Procedure—		Committee of Cantonment	
Privilege of members ..	910	Boards Rawalpindi, Sialkot	
Speaker and Deputy Speaker,		and others .. ..	1082
Removal of — ..	67	<b>DELHI—</b>	
Questions, Supplementary ..	831	Question re Committee to con-	
Questions, subject matter of ..	159	sider supply of electricity to —	774
Questions, admissibility of ..	250-51,	<b>DEMONSTRATION—</b>	
253-54, 259,		Question re — made by Motor-	
813-14,		drivers at Lahore .. ..	1118
814-15,		<b>DENOMINATIONAL SCHOOLS—</b>	
825.		Question re ban on the political	
Prorogation .. ..	64	activities of the management	
Privilege motions .. ..	909	of — .. ..	882
No confidence motion in Minis-		<b>DEPUTY COMMISSIONER—</b>	
try — .. ..	1018,	Question re—	
Motions for consideration of —	1021-22.	Clerks who applied for leave	
Motions, .. ..	52	during 1937 to —, Feroze-	
Leave of absence. Motion		pore .. ..	699
for, .. ..	1152	Tour of the —, Ferozepore ..	954
Attendance of members. List		Posts of — District and Sessions	
of, .. ..	905	Judge and Senior Sub-Judge	
Arrangement of business ..	908	at Ambala .. ..	476
Answers to questions ..	147	<b>DEPUTY COMMISSIONER'S OFFICE—</b>	
Adjournment motion. Time		Question re—	
for discussion, .. ..	833	Sikhs in —, Ludhiana ..	590
Adjournment motion. Altera-		Jhang .. ..	660-62
tions in language .. ..	1032-33	Superintendent —, Rohtak ..	305
Absent members. Vacation of		Filling of vacancies in —, Fe-	
seats of — .. ..	1127	erozepore .. ..	953
Bill. Removal of Beggary —		Ferozepore .. ..	700
The Punjab, .. ..	706-07	Clerks of —, Ferozepore, who	
<b>DEAF—</b>		were given charge sheets	
Question re schools for — and		during year, 1937 .. ..	699-700
dumb .. ..	606	<b>DEPUTY COMMISSIONER, LUDHIANA—</b>	
<b>DEAF-MUTE CHILDREN—</b>		Question re representation of Sikhs	
Question re School for — ..	960	in the office of — .. ..	19
<b>DEBT CONCILIATION BOARD—</b>		<b>DEPUTY SPEAKER—</b>	
Question re rural — Ambala Divi-		Calling members to speak — ..	262
sion .. ..	40		

	PAGES.		PAGES.
<b>DEPUTY SUPERINTENDENT OF POLICE—</b>		<b>DHARIWAL WOOLLEN MILLS—</b>	
Question re—		Question re Deputation of re-	
And Panipat riot ..	694-95	trenched labourers in — ..	1097-98
Recruitment from Hissar for the		<b>DHAWAN—</b>	
post of Inspector or — ..	952	Question re Punitive Police Post	
<b>DERA GHAZI KHAN—</b>		at — ..	514
Question re—		<b>DHINGANA NALLAH—</b>	
Perennial Canal in — ..	221	Question re Samundri Branch of —	237
Irrigated area in — ..	221	<b>DHUNDHI ESTATE—</b>	
Inundation Canals in — ..	221	Question re Cattle grazing tax in —	700
Protection of northern parts of		<b>DEHUSSI—</b>	
— against tribal riots ..	700	Question re construction of — and	
Arrangement for dealing with		its effect in lands near it ..	385
Maternity cases in — ..	867	<b>DIFFERENCES—</b>	
District. Communications in—	866-67	Question re — between Chairman	
<b>DISHBANDHU GUPTA, LALA—</b>		and members of Lahore Im-	
Rules of Procedure. Questions,		provement Trust ..	686
subject matter of — ..	245-246	<b>DIN MUHAMMAD—</b>	
Resolution re conduct of proce-		Question re complaint against a	
sionists at Lahore ..	1063-65	Police Constable named — ..	385
Point of order re moving of Reso-		<b>DIPALPUR—</b>	
lution by Parliamentary Pri-		Question re—	
vate Secretary ..	612	Burning of Guru Granth Sahib	
Hunger strike of Political		at — ..	948
Prisoners ..	808-09	Working of Agricultural De-	
Adjournment motion re strike by		partment in— and Pakpattan	
owners and drivers of motor		tahsils ..	132-33
taxis ..	343	Waterlogging in certain villages	
Adjournment motion re relief to		in — Tahsil ..	42
peasants of certain villages in		Canal Sohagpura Canal and	
tahsil Farn Taran ..	265, 271,	Kartarpur minor ..	948-49
	274, 277.	<b>DIPLOMA EXAMINATION—</b>	
Adjournment motion re—		Question re — of Government	
Release of Sardar Teja Singh		Metal Works Institute, Ambala	120-21
Swatantar, M. L. A. ..	336, 338	<b>DISCHARGED EMPLOYEES—</b>	
Disallowance of— ..	805-06	Question re—	
<b>DETENTION—</b>		Decision on petitions by — of	
Question re illegal — of Sardar		M. C. Lahore ..	1111
Gurmukh Singh, Amarjit Singh,		Appeals by — of Lahore Muni-	
etc. ..	313	cipal Committee ..	1112
<b>DEVA SINGH—</b>		<b>DISCHARGING—</b>	
Question re — Lambardar and the		Question re principle observed by	
Adjournment motion re Police		Administrator, Lahore Muni-	
Raid on Kathanian ..	323	cipality in — its employees ..	1112-13
<b>DEVASTATION—</b>		<b>DISMISSAL—</b>	
Question re — by floods of the		Question re—	
lands in Kambo Dhahawal in		Of Sardars Jagir Singh and	
Amritsar district ..	884	Uttam Singh, Lambardars ..	393
<b>DEWAN PRINTING PRESS—</b>		Or suspension of clerks by Mr.	
Question re security deposited		Amin-ud-Din, I.C.S. ..	596-97
by — ..	796-97	<b>DISPENSARIES—</b>	
<b>DHARAMSALA-HOSHIAPUR ROAD—</b>		Question re—	
Question re licences for lorry ser-		Hospitals and — in Dera Ghazi	
vices on — ..	302	Khan district ..	867
<b>DHARDO—</b>		<b>DISPENSARY—</b>	
Question re—		Question re — building at Bilga,	
Punitive Police Post at— ..	515	district Jullundur ..	681
Working of the Additional		<b>DISQUALIFICATION—</b>	
Police Post at — ..	426	For voting on ground of pecuniary	
Withdrawal of Additional Police		interest ..	1154-55
post from village — ..	325	<b>DIRECTOR OF PUBLIC INSTRU-</b>	
Police Post costs recovered from		<b>CTION—</b>	
village — ..	137-138	Question re Establishment in	
Additional Police Post at — ..	1079	offices under —, Punjab ..	983-89
Cost of Additional Police Post		<b>DISTRICT AND SESSIONS JUDGES—</b>	
at — ..	418	Question re —, posted to Sargodha	996

	PAGES.		PAGES.
<b>DISTRICT BOARDS—</b>		<b>DRINKING WATER—</b>	
Bill. The Punjab — (Amendment) — .. ..	712—14	Question re—	
Question re—		Scarcity of — in certain villages	
And educational institutions ..	787	in Ambala district ..	568
Provincialisation of the Post of Secretary. — .. ..	1001-02	For Zail Krarri .. ..	300
Medical officers in charge of —, Hospitals Jullundur ..	592	In Tahsil Sirsa .. ..	1071
<b>DISTRICT BOARD, ROHTAK—</b>		Scheme for supply of — to some villages in Gurgaon district .. ..	1095—96
Question re — and its elections ..	196-197	Scarcity of — in village Bhatoli, district Kangra .. ..	591
<b>DISTRICT BOARD, HISSAR—</b>		Scheme for supplying — for Hoshiarpur district .. ..	116
Question re District Engineer —	309	Facilities for Dajal in Dera Ghazi Khan district .. ..	365
Question re—		<b>DRINKING—</b>	
District Engineers — .. ..	197-98	Question re Measures against — ..	317
<b>DISTRICT ENGINEERS—</b>		<b>DRIVERS (MOTOR)—</b>	
Question re —, District Board, Hissar .. ..	197-98	Adjournment motion re Strike by owners and — of motor taxis ..	238-40, 339—59.
<b>DISTRICT BOARD, LUDHIANA—</b>		<b>DULLU—</b>	
Question re—		Question re arrest of — for Revenue arrears .. ..	514
Maintenance of gardens by — ..	232	<b>DUMB—</b>	
Appointments made by the present Chairman, — .. ..	231	Question re schools for deaf and —	605
Annual Income of — .. ..	230	<b>DUNT GUARD, LALA —</b>	
Roads repaired by — .. ..	232-33	Adjournment motion re —	
Nominations to — .. ..	370	Anti-Congress campaign by members of Punjab Cabinet ..	48, 49
<b>DISTRICT BOARD SCHOOLS—</b>		Campaign of repression .. ..	50
Question re teachers in —, in Hissar district .. ..	756	Plunder of rice by Mussalis ..	143, 144
<b>DISTRICT BOARD, FERROZPORE—</b>		Police raid in village Katani ..	51, 164, 165—168, 169, 170, 173, 174, 185
Question re Sardar Kartar Singh, Junior Vice-President — ..	877-78	Voluntary surrender of part of salaries and allowances by Ministers and their Secretaries .. ..	45, 46, 47
<b>DISTRICT BOARD, HOSHIARPUR—</b>		<b>Bill—</b>	
Question re — and the depressed classes .. ..	502	Land Revenue (Amendment)—	
<b>DISTRICT ENGINEER—</b>		The Punjab — .. ..	714-15, 716, 717.
Question re —, District Board, Hissar .. ..	309	Removal of Beggary—The Punjab .. ..	714, 723, 725.
<b>DISTRICT INSPECTORS—</b>		<b>Point of order re—</b>	
Question re Muslim —, in the Punjab .. ..	669-70	The practice of calling members to speak .. ..	262
<b>DISTRICT JUDGE, HISSAR—</b>		Starred questions not reached during questions hour .. ..	427
Question re recruitment of clerical staff by the — .. ..	400	<b>Rules of Procedure—</b>	
<b>DISTRICT MEDICAL OFFICERS—</b>		Adjournment, motion. Restrictions on — .. ..	1036
Question re recruitment of — ..	98	Debate on matter arising in the course of exercise of right of interpellation .. ..	72
<b>DIVISIONS—</b>		Language of the Assembly .. ..	1135-36
Rules of Procedure re — .. ..	1154	No-confidence motion in Ministry .. ..	913-14, 915, 1011, 1013—15.
<b>DOABA DIST, JULLUNDUR—</b>			
Question re water level in — ..	771-72		
<b>DOCTORS—</b>			
Question re—			
Attending to paid patients by — when on duty in Hospitals, etc. .. ..	238		
Scales of fees charged by —, employed in Hospitals, etc. ..	324		
<b>DOOMS—</b>			
Question re right of vote for — of Gurdaspur district .. ..	785		
<b>DRAINAGE SCHEME—</b>			
Question re — for Hidayatpur Chharoni in Gurgaon district ..	1096		

	PAGES.		PAGES.
DUNI CHAND, LALA— <i>concl'd.</i>		ELECTIONS OFFICERS—	
Rules of Procedure—		Question re Municipal — ..	2-3
Questions. Admissibility of— ..	250, 251, 252, 257, 258, 813 815, 820-21, 822, 823.	ELECTIONS TO DISTRICT BOARDS—	
Questions, starred, number of—		Question re — and communal representation .. ..	29-30
—to be put by one member..	902-03	ELECTORAL ROLLS—	
Questions, subject matter of—	149-52, 153, 156, 159, 247-248.	(Question re — Small Town Com- mittee, Una .. ..	847-49
DUTIES—		ELECTRIC SCHEME—	
Question re — of a Parliamentary Secretary .. ..	691	Supplementary Demands re Cap- ital Outlay on — .. ..	453
E		ELECTRIC SUPPLY—	
EARTH—		Question re—	
Question re compensation to zaildars for the — dug out from their fields for repairing Canal banks .. ..	989-92	Committee to consider — to Delhi .. ..	774
EASTERN DISTRICTS—		Cost of line to — to Delhi .. ..	747
Question re Lift irrigation for —	398	ELECTRIC POWER—	
EDUCATION DEPARTMENT—		Question re — for lift irrigation ..	607
Question re—		ELECTRIC SUPPLY—	
Extensions to clerks in the — ..	1115-16	Question re—	
Salaries of pay for M.A., B.Ts. and B.A., B.Ts. in — .. ..	977	From Mandi Hydro-Electric Scheme .. ..	775
EDUCATION—		For productive purposes .. ..	775-76
Question re spreading of — in Hissar District .. ..	957	ELECTRICITY—	
Supplementary Demands .. ..	434-36	Question re—	
EDUCATIONAL INSTITUTIONS—		Per unit cost of production of — ..	774
Question re District Boards and —	787	Cheap — for irrigation purposes ..	776
EDUCATION MINISTER—		For Agricultural purposes .. ..	364
Question re advice of, to de- pressed classes .. ..	406	ELECTRICITY BRANCH—	
ELECTED PRESIDENT—		Question re Achhuts in — .. ..	564
Question re — for Municipal Com- mittee, Panipat .. ..	752-54	ELEMENTARY SCHOOLS—	
ELECTION SYSTEM—		Question re Aid to Primary schools and — .. ..	581
Question re Introduction of —, in Dalhousie Municipal Committee	1108	ELPHINSTON AND MOVIES THEATRES—	
ELECTION—		Question re grant of licences to — at Simla .. ..	16
Question re—		EMBEZZLEMENT CASE—	
Of village Panchayat of Pohu- wind, tahsil Kasur .. ..	673	Question re Nur Meo High School — .. ..	881-82
Of President of Municipal Com- mittee, Panipat .. ..	995	EMBEZZLEMENT—	
Of District Board, Rohtak .. ..	196-97	Question re charge of — against Mir Dad Khan .. ..	763-64
ELECTION OF LAMBARDARS—		EMOLUMENTS—	
Question re — etc., to local bodies on Congress ticket .. ..	5-9	Question re—	
ELECTION—		Of Zaildars and Inamkhwars .. ..	192-93
Of members to Forest Board .. ..	896-98	To Zaildars and lambardars .. ..	962
Question re—		EMPLOYEES—	
To District Board, Rawalpindi	888-89	Question re—	
Polling Officer for — to Municip- cipal Committee, Sheikhu- para .. ..	1078	Principle observed by Adminis- trator, Lahore Municipality in discharging its — .. ..	1112-13
To Local Bodies under joint and separate electorates .. ..	891	Retirement of the —, Local Bodies .. ..	873
		ENGINEER—	
		Question re Mr. Claxton, —, Dewa Ghazi Khan .. ..	677-78
		ENGINEERING STAFF—	
		Question re recruitment of — for the Haveli Project.. ..	3-4
		ENGLISH TEACHING—	
		Question re — in Hissar district Board Schools .. ..	400
		ENLISTMENT—	
		Question re — of persons from Patehpur Pundri in Govern- ment Service .. ..	879

	PAGES.		PAGES.
<b>ENLISTMENT—<i>concl'd.</i></b>		<b>FAILURE—</b>	
Question <i>re</i> — in Offices under the Director of Public Instruction, Punjab .. ..	988-89	Question <i>re</i> — of maize, sugarcane and cotton crops in Jullundur district .. ..	988
<b>ENQUIRY COMMITTEE—</b>		<b>FAMINE—</b>	
Terms of Reference of Land Reve- nue — .. ..	457-66	Question <i>re</i> — in Gurgaon district ..	123
<b>EUROPEAN POLITICAL PRISONERS—</b>		<b>FARIDABAD—</b>	
Question <i>re</i> — .. ..	882-83	Question <i>re</i> Municipal Elections — ..	308
<b>EXCISE DEPARTMENT—</b>		<b>FATEH KHAN, RAJA—</b>	
Question <i>re</i> Provincial and subor- dinate services in Revenue and — .. ..	696	Resolution <i>re</i> —	
<b>EXCISE SUB-INSPECTORS—</b>		Repairs to Badshahi Mosque, Lahore .. ..	541-42
Question <i>re</i> — .. ..	873	Conduct of processionsists at Lahore .. ..	1049-50
<b>EXCISE INSPECTORS—</b>		<b>FATEHJANG SINGH, 2ND LIEUT.</b>	
Question <i>re</i> — and Sub-Inspectors ..	873	<b>BHAI—</b>	
<b>EXCISE DUTY—</b>		Oath of Office .. ..	1
Question <i>re</i> — on Matches .. ..	737-38	Adjournment motion <i>re</i> Police raid in village Katani .. ..	178-180
<b>EXECUTIVE POSTS—</b>		Resolution <i>re</i> release of hunger- strike prisoners .. ..	931
Question <i>re</i> Recruitment from Hissar for — and Judicial posts ..	952	<b>FARMAN ALI KHAN, SUBEDAR-MAJOR</b>	
<b>EXECUTIVE OFFICER—</b>		<b>RAJA—</b>	
Question <i>re</i> Excise Inspectors- and—		Rules of Procedure. Language of the Assembly .. ..	1146-47
Ludhiana Municipal Committee ..	370	<b>FATEHPUR PUNDBI—</b>	
Ludhiana Municipality .. ..	881	Question <i>re</i> Enlistment of Persons from — in Government Service ..	879
Municipal Committee, Ludhiana ..	880	<b>FAQIR CHAND, CHAUDHRI—</b>	
<b>EXHIBITION—</b>		Resolution <i>re</i> exemption from attachment of Agricultural pro- duce .. ..	627
Public Health Department, Par- ticipation of, in the All-India ..	436-432	<b>FAQIRIA—</b>	
Question <i>re</i> sale of liquor in All- India — .. ..	602	Question <i>re</i> murder of — of village Bhopali .. ..	307
<b>EXPENDITURE—</b>		<b>FAZILKA MUNICIPALITY—</b>	
Supplementary Statement of au- thenticated, — by Governor .. ..	806-07	Question <i>re</i> omission to nominate a Sikh for — .. ..	869
<b>EXPLANATION—</b>		<b>FAZILKA—</b>	
Personal — by Partab Singh, Sar- dar .. ..	712	Question <i>re</i> —	
<b>EXTERMENT ORDER—</b>		Municipal Committee — .. ..	396
Question <i>re</i> —		Voting strength of Muslims in — Municipal Committee .. ..	396
Served on Sardar Bhagwan Singh, Longowalia .. ..	595-96	<b>FAZI ALI KHAN BAHADUR NAWAB</b>	
To Sardar Bhagwan Singh, Longowalia .. ..	975	<b>CHAUDHRI—</b>	
<b>EXTENSION—</b>		Resolution <i>re</i> —	
Question <i>re</i> —		Exemption from attachment of Agricultural produce .. ..	638-39
Of Hydro-Electric Scheme in Rural Areas .. ..	776	Repairs to Badshahi Mosque, Lahore .. ..	549-51
Of Irrigation to Rakh Chargah Bhera .. ..	761	<b>FEE CHARGES—</b>	
Government servants who were granted — in their service .. ..	695	Question <i>re</i> Medical Officers share of the rent and — from the in-door patients .. ..	853
To Clerks in the Education Department .. ..	1115-16	<b>FEE(S)—</b>	
<b>EXTRA ASSISTANT COMMISSIONER—</b>		Question <i>re</i> —	
Question <i>re</i> —		Concessions in — for students belonging to scheduled castes ..	606
Candidates for — .. ..	668	Scales of — charged by Doctors employed in Hospitals, etc. ..	324
Accepted from List A-II .. ..	861-62	Scales of — charged by Civil Surgeons, etc. .. ..	237-38
Question <i>re</i> — .. ..	860-61		
<b>FACTORY WORKERS—</b>			
Question <i>re</i> — at Ludhiana .. ..	17		

	PAGES.		PAGES.
<b>FEMALE EDUCATION—</b>		<b>FORFEITURE—</b>	
Question re Improvement of —..	1110	Question re — of security of Milap	387
<b>FERRY CHARGES—</b>		<b>FREE SUPPLY—</b>	
Question re — in Kangra district	4-5	Question re — of vegetable from	
<b>FERRY BOATS FARES—</b>		jail gardens to Government	
Question re — in Ambala district	887-88	officials .. ..	953
<b>FERRIES—</b>		<b>FREE AND COMPULSORY EDUCATION—</b>	
Question re Achhuts and — of		Introduction of — .. ..	434-35
River Beas .. ..	565	<b>FURNITURE—</b>	
<b>FEROZPORE DISTRICT BOARD—</b>		Purchase of crockery and — for	
Question re vacancy for the posts		Viceroy's visit .. ..	428-33
of Professional Tax Officer and			
Head Clerk in — .. ..	869	<b>G</b>	
<b>FEROZPORE DISTRICT—</b>		<b>GARDENS—</b>	
Question re—		Question re—	
Additional Police Posts in — ..	138	Maintenance of — by District	
Residents of —, nominated for		Board, Ludhiana .. ..	232
Government posts .. ..	861	Assessment of — to land	
Odes in — and Ludhiana dist-		revenue .. ..	1072-73
trict .. ..	855	<b>GARHWALA—</b>	
<b>FEROZPORE—</b>		Question re Establishment of a	
Question re—		Police Station at — .. ..	292
Tour of the Deputy Commis-		<b>GAUBA, MR. K. L.—</b>	
sioner, — .. ..	954	Resolution re repairs to Badshahi	
Deputy Commissioner's office —		mosque .. ..	525-27
Bench of Honorary Magistrates		<b>GAUR BRAHMAN—</b>	
at — .. ..	870	Question re — in Rohtak, Karnal,	
<b>FEW, MR. E.—</b>		etc., not declared as Agricul-	
Adjournment motion re anti-		turists .. ..	577
Congress campaign by mem-		<b>GAZETTED OFFICERS—</b>	
bers of the Punjab Cabinet ..	48	Question re—	
Rules of Procedure. Answers to		Communal Representation	
Questions .. ..	836-37	among — of Irrigation Re-	
Adjournment motion re relief		search Institute .. ..	979-85
to peasants of certain villages in		Posted to their Home districts	
tahsil Tarn Taran .. ..	278	<b>GENERAL ADMINISTRATION—</b>	
<b>FINANCE MINISTER—</b>		Supplementary Demands — ..	466
Question re Honourable —, visit		<b>GHARYALA—</b>	
to Lahore Central Jail .. ..	134	Question re Collection of revenue	
<b>FINANCIAL COMMISSIONERS'</b>		and abiana by the headman of	
<b>OFFICE—</b>		Taraf Fattu of village — ..	676
Question re Achhuts in — ..	512	<b>GHAWINDI—</b>	
<b>FINES—</b>		Question re Realization of taqavi	
Question re return of — realised		from village — tahsil Lahore	
from Political Prisoners .. ..	603	<b>GHAZANFAR ALI KHAN, RAJA—</b>	
<b>FIRE ARMS—</b>		Rules of Procedure—	
Question re importation of unlicens-		Transaction of business .. ..	77
ed — from Bikaner State .. ..	692	Questions, subject matter of, ..	155-57
<b>FLOODS—</b>		Questions, Admissibility of, ..	826-7
Question re Devastation by —		No-confidence motion in Minis-	
of the lands in Kambo Dhahawal		try .. ..	1012-13
in Amritsar district .. ..	884	Language of the Assembly .. ..	1141-42
<b>FODDER CROPS—</b>		Answers to questions .. ..	839-40
Question re — in Jullundur dis-		<b>Bill. Land Revenue (Amendment).</b>	
trict .. ..	771	The Punjab — .. ..	714-715,
<b>FORCED LABOUR—</b>			716-17
Question re — from Chawkidars		Adjournment motion re Relief	
in Southern districts .. ..	579-80	to peasants of certain villages in	
<b>FOREST ENQUIRY COMMITTEE—</b>		Tahsil Tarn Taran .. ..	146, 268-71,
Question re extension of the scope			276, 279.
of the — to Katardhar .. ..	782	<b>GHULAM HUSSAIN, KHAWAJA—</b>	
<b>FOREST COMMISSION—</b>		Resolution re repairs to Badshahi	
Question re — .. ..	213-214	mosque, Lahore .. ..	527, 543-45
<b>FOREST BOARD—</b>		Rules of Procedure. Questions,	
Election of members to Punjab —		admissibility of, .. ..	257-258
<b>FORESTS—</b>			
Supplementary Demands — ..	428-33		

	PAGES.		PAGES.
<b>GHULAM HUSSAIN KHAWAJA—<i>concl'd.</i></b>		<b>GOPI CHAND BHARGAVA, DR.—<i>concl'd.</i></b>	
Supplementary Demands—		Reference to late Bibi Parbati Devi .. ..	45
Education. Free and compulsory Education. Introduction of, .. ..	434-35	Multiplicity of adjournment motions .. ..	333, 335
Miscellaneous. Working of the Unemployment Committee ..	457	Language of speech .. ..	535
<b>GHULAM MOHY-UD-DIN—</b>		Hunger strike of political prisoners .. ..	808-9
Question re transfer of — Sub-Inspector Police, Sheikhpura ..	410	<b>Bill—</b>	
<b>GHULAM SAMAD, KHAWAJA—</b>		Health Insurance. The Punjab— .. ..	707-708, 710
Oath of office .. ..	1	The Punjab, Fixation of Minimum Rates of Wages — ..	719, 720
Rules of Procedure—		Allotment of time for discussion of conduct of processionists in connection with release of hunger strike prisoners ..	896, 940-41
Seating of members — ..	1129-30	Adjournment motion re—	
Question, supply beforehand of replies to, .. ..	332	Strike by owners and drivers of motor taxis .. ..	353
Questions, subject matter of, ..	246-47	Relief to peasants of certain villages in Tahsil Tara Taran ..	145
Questions, reasons for disallowing of any, .. ..	827-9	Disallowance of, .. ..	804
Attendance of members. List of, .. ..	908-9	<b>GOVERNMENT AND JAIL PRESSES—</b>	
<b>GIRDWAR-QANUNGO—</b>		Question re non-Muslim Representation in — .. ..	874-76
Question re Patwaries and — in district Jhang .. ..	662	<b>GOVERNMENT COLLEGE—</b>	
<b>GIRLS' HIGH SCHOOL, MOGA—</b>		Question re Insanitary condition in the New Hostel of the —, Lahore .. ..	1087-88
Question re — .. ..	403	<b>GOVERNMENT SERVANTS—</b>	
<b>GIRLS' SCHOOL, RUPAR—</b>		Question re—	
Question re — .. ..	133	Ban on — in Medical Department to join the Indian Medical Association .. ..	415
<b>GIRLS' SCHOOL—</b>		Drawing Rs. 200 or above monthly in the Haveli Project .. ..	895
Question re unrecognized —, Tohana .. ..	318	Who were granted extensions in the service .. ..	695
<b>GOKUL CHAND NARANG, DR. SIR—</b>		<b>GOVERNMENT OF INDIA ACT, 1935—</b>	
Rules of Procedure—		Question re Amendment of Section 85 of the — .. ..	853-54
Adjournment motion, Restrictions on, .. ..	1039	<b>GOVERNMENT SERVICE—</b>	
Language of the Assembly ..	1148	Question re enlistment of persons from Fatehpur Pundri in — ..	879
<b>GOPI CHAND BHARGAVA, DR.—</b>		<b>GOVERNMENT POSTS—</b>	
Resolution re—		Question re Residents of Ferozepore district, nominated for — ..	861
Hunger strike prisoners, release of, .. ..	915, 916, 917, 918-23, 938	<b>GOVERNMENT DUES—</b>	
Repairs to Badshahi mosque, Lahore .. ..	530, 536-39	Question re—	
<b>Rules of Procedure—</b>		Waterlogging in Sheikhpura district and payment of — ..	888
Limiting of speeches on, ..	1015	Remission in — in Montgomery district according to the sliding scale .. ..	956-57
Questions, Admissibility of, ..	255	<b>GOVERNMENT OFFICIALS—</b>	
Questions, subject matter of, ..	157-158	Question re Free Supply of vegetables from Jail gardens to — ..	953
Speaker, Election of .. ..	65-66	<b>GOVERNOR—</b>	
Sittings of the Assembly ..	70	Supplementary Statement of expenditure authenticated by — ..	806-7
Statement re Bihra Train Disaster ..	332	<b>GOWDHANAS—</b>	
<b>Supplementary Demands—</b>		Question re—	
Forests re purchase of crockery and furniture for Viceroys' visit .. ..	431	Under the control of District Board, Muzaffargarh .. ..	608
Public Health, Participation of Public Health Department in the All-India Exhibition ..	439-41		
Public Health. Town Improvement Trust, Lahore .. ..	454		
<b>Resolution re—</b>			
Exemption from attachment of Agricultural produce .. ..	641, 643		
Conduct of processionists at Lahore .. ..	1059-60, 1068-69		
<b>Reference to late Mr. Ahmad Bakhs Khan .. ..</b>	<b>143</b>		

PAGES.		PAGES.
	<b>GOWSHALAS—<i>conold.</i></b>	
	Question re—	
	Model — maintained by the District Board, Dera Ghazi Khan .. .. .	609
	Model — maintained by Government .. .. .	609
	<b>GRANTS—</b>	
	Question re — of lands to educated youngmen .. .. .	314
	<b>GRANTS-IN-AID—</b>	
	Question re—	
	Cut in — to private schools .. .. .	975
	For Pathshalas, Poonahana, district Gurgaon .. .. .	765
	<b>GRANTS OF LANDS—</b>	
	Question re—	
	To Trini payers of Baraghar and Sayadwala Thanas .. .. .	958-59
	To Agriculturists in Ambala district .. .. .	569-70
	To Trini payers of Baragpur and Sayadwala Thanas .. .. .	958-59
	Questions. Representations from the zamindars of district Jhang for — .. .. .	945
	<b>GRASS CUTTING—</b>	
	Question re — in Kartardhar .. .. .	89
	<b>GRAVEYARDS—</b>	
	Question re — of depressed classes in Mahalpur .. .. .	502
	<b>GRAZING GROUNDS—</b>	
	Question re — .. .. .	604
	<b>GRIEVANCES—</b>	
	Question re—	
	Of zamindars not receiving Canal water .. .. .	380
	Of zamindars of village Sur Singh regarding Jagatpura Minor Head .. .. .	425
	Of people of Thaska Miranji, etc., in Karnal district, against Public Works Department .. .. .	678
	Of Owners of vehicles .. .. .	815
	<b>GREY CANALS—</b>	
	Question re — .. .. .	950
	<b>GUAGE READERS—</b>	
	Question re—	
	Scale of Pay of — .. .. .	425
	In Upper Bari Doab Canal .. .. .	420
	Question re— .. .. .	425
	<b>GUARDIAN—</b>	
	Question re Appointment of Special Official Receiver as —, of the sons of Rai Bahadur Sundar Das of Dinga .. .. .	1119-20
	<b>GURBAKSH SINGH—</b>	
	Question re land revenue remitted by — .. .. .	316
	<b>GURGAON—</b>	
	Questions re President, Small Town Committee, — .. .. .	308
	<b>GURBAKSH SINGH, SARDAR—</b>	
	Question re — Municipal Commissioner, Ludhiana .. .. .	1084
	<b>GURMUKH SINGH, SARDAR—</b>	
	Question re — .. .. .	884
	<b>GURMUKH SINGH—</b>	
	Question re—	
	Comrade — .. .. .	32
	Comrade — .. .. .	313
	Sending of — to Andamans .. .. .	9-11
	Illegal detention of Sardar Amarjit Singh, etc. .... .	313
	Andaman Prisoners .. .. .	1086-87
	<b>GUPTA—</b>	
	Question re release of Messrs. Sanyal and — .. .. .	208-209
	<b>GURU GRANTH SAHIB—</b>	
	Question re Burning of — at Dipalpur .. .. .	448
	<b>GYANI RAM SINGH—</b>	
	Question re Refusal of permission to — to interview Sardar Balwant Singh .. .. .	407
	H	
	<b>HALF-FEE CONCESSION—</b>	
	Question re circular regarding — .. .. .	289
	<b>HANS RAJ—</b>	
	Question re—	
	“Wireless” .. .. .	973
	“Wireless” .. .. .	782
	<b>HANS RAJ “WIRELESS”—</b>	
	Question re reconsidering release of — .. .. .	761-62
	Question re — .. .. .	29
	<b>HANSI FUND—</b>	
	Question re utilization of Shahabad, Hansi and other funds in Ambala Division .. .. .	1073
	<b>HARBANS SINGH, SARDAR—</b>	
	Question re harsh treatment by police to — and other political suspects in Lahore Fort .. .. .	7
	<b>HARDYAL, DR.—</b>	
	Question re — .. .. .	209-211
	Question re ban on — to enter India .. .. .	416
	<b>HARIJANS—</b>	
	Question re public wells and — .. .. .	610
	<b>HARI PAL—</b>	
	Question re — District Inspector as Inspector, Police Lines, Ludhiana .. .. .	479
	<b>HAIRIYAT TAX—</b>	
	Question re — in Amritsar and Sialkot districts .. .. .	785
	<b>HABI LAL, MUNSHI—</b>	
	Adjournment motion re relief to peasants of certain villages in tahsil Tarn Taran .. .. .	145
	Oath of Office .. .. .	1
	Rules of Procedure—	
	Adjournment motion. Procedure .. .. .	1026
	Answers to questions .. .. .	835
	Language of the Assembly .. .. .	1138-39
	No-confidence motion in Ministry .. .. .	1019-21
	Questions, admissibility of, .. .. .	816-17, 825-26.
	Questions, subject matter of, .. .. .	160-62

	PAGES.
<b>HARI SINGH SARDAR—</b>	
Adjournment motion re—	
Political workers, arrests of, ..	50, 51
Remarks of Premier in connection with certain political cases ..	51
Strike by owners and drivers of motor taxis ..	238-39, 339-42.
Bill—	
District Boards (Amendment) The Punjab ..	712
Motor Traffic Offences —, The Punjab. Motion for circulation ..	810-11
Multiplicity of adjournment motions ..	334-35
Point of order re—	
Joint responsibility of Ministers and Rules of Procedure ..	912, 913
Oath of office ..	1
Privilege of members ..	803-4
Resolution re repairs to Badshahi Mosque, Lahore ..	545-46
Rules of Procedure—	
Adjournment motion, alterations in language ..	1126-27
Adjournment motion, procedure ..	1027-28
Adjournment motion, restrictions on, ..	1039-40
Arrangement of business, ..	147-48
Giving of notice by members, ..	149
Motion for reference to Committee ..	52-60, 63
No-confidence motion in Ministry ..	1004-5, 1007, 1011-12.
Questions, admissibility of, ..	253, 254, 814, 819-20.
Answers to questions ..	832-33, 844-45.
Answers to questions not put ..	829, 830.
Questions, starred, number of, to be put by one member ..	899
Questions, supplementary, ..	831
Quorum ..	1128
Sitting of the Assembly ..	75
Speaker, Election of, ..	66
Summoning of Assembly ..	63
Transaction of business ..	76, 77, 81
Supplementary Demand—Forests, re purchase of crockery and furniture for Viceroy's visit ..	428-29
Supplementary Demand—Miscellaneous—	
Questionnaire issued by the Resources and Retrenchment Committee ..	455-56
Terms of reference of Land Revenue Enquiry Committee ..	457-58
Supplementary Demand—Public Health Town Improvement Trust, Lahore ..	452, 453

<b>HARJAB SINGH, SARDAR—</b>	
Payment of land revenue by —, M. L. A. ..	216
Bill. The Punjab Village and Small Towns Patrol (Amendment) — ..	729
<b>HAVELI PROJECT—</b>	
Question re—	
Acquisition of land for — ..	25
Steel gates for — ..	936-37
Contract for steel gates for —	634
Perennial and non-Perennial canals in — ..	688
Compensation for the land acquired for the — ..	743-44
Shopkeepers in the Headwork Colony area of the — ..	943
Area of land in Latah Tahsil which will become culturable under the — ..	869
Circle Establishment of the —	893
Contractors of the — ..	893-94
Recruitment made in connection with the — ..	894
Government servants drawing Rs. 200 or above in the — ..	895
Recruitment of engineering staff for the — ..	3-4
<b>HAZARA SINGH—</b>	
Question re—	
Torture by police of — a dacoit ..	698
Babar Akali ..	298
<b>HAULSTORM—</b>	
Question re damage by — in Nowshera Panuan in Tarn Taran Tahsil ..	883
<b>HEAD CLERK—</b>	
Question re vacancy for the posts of Professional Tax Officer and — in District Board, Ferozepore ..	869
<b>HEAD CONSTABLES—</b>	
Question re Sub-Inspectors and —	104-08
<b>HEADMEN—</b>	
Question re Panchottra to — of villages Tarf Fattu and Ghariala, Lahore district ..	1075-76
<b>HEADWORK COLONY AREA—</b>	
Question re shopkeepers in the — of the Haveli Project ..	943
<b>HEALTH INSURANCE—</b>	
Bill, The Punjab — ..	707-12
<b>HIDAYATPUR CHHAONI—</b>	
Question re Drainage Scheme for — in Gurgaon district ..	1096
<b>HIGH COURT—</b>	
Question re instructions by — regarding promotions to Ministerial posts ..	763
<b>HIGH SCHOOL—</b>	
Question re opening a Government — in Tahsil Una ..	225
<b>HILL TORRENT—</b>	
Question re—	
In village Kot Bihla, etc. ..	654
Danger to village Bah in Rupar tahsil by a — ..	888

	PAGES.		PAGE.
HILL TORRENTS— <i>concid.</i>		HOSHARPUR-TANDA ROAD—	
Question re—		Question re motor traffic on — ..	505
Damages by — in Ambala district .. .. .	568-69	HOSIERY FACTORIES—	
HINDI—		Question re—	
Question re teaching of — in schools .. .. .	1000	At Ludhiana .. ..	955
HINDU AGRICULTURISTS—		Railway concessions for — at Ludhiana .. ..	1119
Question re — for the posts of Patwaris and Kanungos, etc. ..	802	HOSPITALS—	
HINDU ZAMINDARS—		Question re—	
Question re representation of — among Punjab University Examiners .. ..	1096-97	And dispensaries in Dera Ghazi Khan district .. ..	867
HINDUS, NAIB-TAHILDARS—		Scales of fees charged by Doctors employed in —, etc. Civil and Veterinary rural — in Montgomery district ..	324 131-32
Question re Non-agriculturist taken from the Ambala Division .. .. .	872	HOSTEL—	
HISSAR—		Question re insanitary condition in the New — of the Government College, Lahore .. ..	1087-88
Question re Intermediate College at — .. .. .	951	HUNGER STRIKE—	
HISSAB COURT—		Question re—	
Question re corruption in — .. ..	653	Political Prisoners on — .. ..	1124—26
HISSAB DISTRICT—		Political Prisoners on — .. ..	1123
Question re —		Of Comrade Gurmukh Singh ..	1085-86
Increased supply of water for — Spread of education in — .. ..	951 951	By Political Prisoners in Lahore Central Jail and Montgomery Jail .. ..	1084-85
HISSAB DISTRICT BOARD SCHOOLS—		Allotment of time for discussion of behaviour of Processionists in connection with release of — Prisoners .. ..	896
Question re English teaching in — HOLDINGS—	400	Political Prisoners, — of .. ..	907—09
Questions re consolidation of— ..	296	Resolution re release of — prisoners .. ..	915—40
HONORARY BENCH—		Question re — by a 1915-16 Punjab Conspiracy Case Prisoner .. ..	800-01
Questions re — at Gohana .. ..	380	HYDRO-ELECTRIC ESTABLISHMENT—	
HONORARY CIVIL JUDGES—		Supplementary Demands, Public Works Department .. ..	466
Question re Honorary Magistrates and — .. .. .	493	HYDRO-ELECTRIC COMMITTEE—	
HONORARY MAGISTRATES—		Question re— .. ..	781
Question re — .. ..	746	HYDRO-ELECTRIC ENERGY—	
Question re—		Question re supply of — for agricultural purposes — .. ..	780
In Rawalpindi District .. ..	889	HYDRO-ELECTRIC SCHEME—	
And Civil Judges .. ..	871	Question re extension of — in rural areas .. ..	776
Bench of — at Ferozepore .. ..	870	I	
And Honorary Civil Judges .. ..	493	IDGAH—	
Question re — .. ..	301	Question re application of Cantonments Act to villages Saila and — in Jhelum district .. ..	998-99
HOURS OF SETTING—		IMPROVEMENTS—	
Statement by Minister for Revenue re — .. ..	146	Question re — by Lahore Improvement Trust .. ..	685-86
HOURS OF WORK—		IMPROVEMENT TRUST—	
Bill, The Punjab —, Introduction HOUSE SEARCH—	702—707	Question re—	
Question re — in village Katluhi, district Lahore .. .. .	674	Improvements by Lahore — Differences between Chairman and members of Lahore — ..	686
HOSHARPUR—			
Question re scheme to combat menace to Agriculture in — ..	291		
HOSHARPUR-DHARAMSALA ROAD—			
Questions re licences for Lorry service on — .. ..	302		
HOSHARPUR DISTRICT—			
Question re arrest and convictions in — .. .. .	313		
HOSHARPUR MUNICIPALITY—			
Question re—			
Nomination to — .. ..	783		
Nominations to — .. ..	486		
HOSHARPUR-PHAGWARA Road—			
Question re — .. ..	490		

	PAGES.		PAGES.
<b>I. M. S. OFFICERS—</b>		<b>INSPECTION—</b>	
Question re instructions for reductions in the number of — in the Punjab .. ..	855-57	Question re Bye-laws for the — of Records of Municipal Committee, Ludhiana .. ..	831
<b>INAMKHUWARS—</b>		<b>INSPECTORS OF CO-OPERATIVE SOCIETIES—</b>	
Question re emoluments of Zail-dars and — .. ..	192-93	Question re — belonging to Kaithal .. ..	802
<b>INCOME—</b>		<b>INSPECTOR-GENERAL—</b>	
Question re—		Question re — of Civil Hospitals .. ..	363
Average — of a landholder in Beit Ilaga, Ludhiana .. ..	748	<b>INSPECTOR-GENERAL OF PRISONS—</b>	
Sources of — of Jagraon Municipality .. ..	229	Question re — .. ..	891
Annual — of District Board, Ludhiana .. ..	230	<b>INSPECTOR OF POLICE—</b>	
<b>INCREASE—</b>		Question re recruitment from Hissar for the post of — or Deputy Superintendent of Police .. ..	952
Question re—of strength of Criminal Investigation Department..	408	<b>INSPECTOR, LOCAL BODIES—</b>	
<b>INDIAN MERCHANTS—</b>		Question re Report of — .. ..	1110
Question re Civil Court decrees and attachment of property by — residing in Cantonment areas .. ..	968	<b>INSPECTOR OF SCHOOLS—</b>	
<b>INDIAN MEDICAL SERVICE—</b>		Question re grant of powers to — by District Board, Ludhiana ..	679-80
Question re Punjab Government quota for — .. ..	130-31	<b>INSTRUCTIONS—</b>	
<b>IN-DOOR PATIENTS—</b>		Question re — to Government servants .. ..	367
Question re Medical Officers' share of the rent and fee charges from — .. ..	853	<b>INTERMENT—</b>	
<b>INDUSTRY—</b>		Question re — of Sardar Tehl Singh .. ..	403
Question re protection of trade and — at Ludhiana .. ..	954	<b>INTERMEDIATE ARTS COLLEGE—</b>	
<b>INDUSTRIES DEPARTMENT—</b>		Question re — at Montgomery ..	30
Question re—		<b>INTERMEDIATE COLLEGE(S)—</b>	
Achhuts in — .. ..	564	Question re—	
Application for loan from the — .. ..	113	And High Schools in Rawalpindi Division .. ..	663
<b>INDUSTRIAL SCHOOL, HOSHIAHPUR—</b>		At Hissar .. ..	951
Question re complaints of students of — .. ..	501	<b>INTERVIEW—</b>	
<b>INFLAMMATORY PAMPHLETS—</b>		Question re—	
Question re — like the Rangila Tehwar and Shahadat .. ..	976	Application by Chaudhri Kartar Singh for — with Political Prisoners .. ..	1118
<b>INFERIOR LAND TENANCY GRANTEES—</b>		Refusal of permission to Gyani Ram Singh to — Sardar Balwant Singh .. ..	407
Question re — in Nili Bar .. ..	892	<b>IRRIGATION—</b>	
<b>INFUNDATION CANAL(S)—</b>		Question re—	
Question re—		Authorized — in Dera Ghazi Khan district .. ..	236
Construction of an — in Tahsil Pind Dadan Khan .. ..	978-79	Extension of — to Rakh Chargah Bhera .. ..	761
In Dera Ghazi Khan .. ..	221	Supplementary Demand — .. ..	466
<b>INQUIRY—</b>		<b>IRRIGATION BRANCH—</b>	
Question re—		Question re—	
Into the working of Public Works Department Central Workshops .. ..	634	Retrenched Officers of the — ..	872
Regarding sub-soil water in Jullundur and Hoshiarpur districts .. ..	771	Sub-Divisional Officers in the — of the Public Works Department .. ..	872
<b>INSANITARY CONDITION—</b>		<b>IRRIGATION DEPARTMENT—</b>	
Question re — in the New Hostel of the Government College, Lahore .. ..	1087-88	Question re Government orders re temporary Establishment —	223
		<b>IRRIGATION FACILITIES—</b>	
		Question re — for Zail Kokari Kalan .. ..	404
		<b>IRRIGATION WORKS—</b>	
		Supplementary Demands — ..	433

	PAGES.		PAGES.
<b>IRRIGATED AREA—</b>		<b>JALAL-UD-DIN AMBER, CHAUDHRI</b>	
Question re — in Dera Ghazi Khan .. ..	221	— <i>concl.</i>	
<b>IRRIGATION PUMPS—</b>		Supplementary Demands—Miscellaneous. Terms of reference of the Land Revenue Enquiry Committee .. ..	463-64
Question re — round Amritsar city .. ..	945	<b>JAMPUR—</b>	
<b>IRRIGATION RESEARCH INSTITUTE—</b>		Question re water-logged area near — .. ..	868
Question re .. ..	863-64	<b>JANGAL KI DASTAN—</b>	
Question re Communal Representation among Gazetted officers of — .. ..	979-85	Question re a booklet — .. ..	592
Question re — .. ..	1090	<b>JETHOWAL DISTRICT—</b>	
<b>IRRIGATION SCHEME—</b>		Question re — .. ..	945-46
Question re inclusion of Ambala district in — by tube-wells .. ..	570	<b>JHANG—</b>	
<b>ISAKHEL MUNICIPALITY—</b>		Question re Deputy Commissioner's Office — .. ..	660-62
Question of system of election for — Kalabagh and Pindigheb Municipalities .. ..	851-53	<b>JHANG DISTRICT—</b>	
<b>ISHAR DASS—</b>		Question re villages in Schedules A and B in — .. ..	944-45
Question re Lala — of Gardhe-wala .. ..	134	<b>JHANG MUNICIPALITY—</b>	
<b>ISHAR KAUR—</b>		Question re resolution regarding nominations to — .. ..	1075
Question re Mussammat — of village Raipur .. ..	312	<b>JOINT ELECTORATES—</b>	
<b>ISHAR SINGH—</b>		Question re elections to Local Bodies under — and separate Electorates .. ..	891
Question re arrest and detention of — approver in Bela Singh Murder Case .. ..	477	<b>JUDGES—</b>	
J		Question re percentage of Muslim — and Sub-Judges .. ..	1001
<b>JAGADHRI—</b>		<b>JUDGMENT—</b>	
Question re Ramgarh — road .. ..	654	Question re Lahore High Court — in case Mr. B. A. Malik versus Lahore Municipal Committee .. ..	1104-06
<b>JAGATPURA MINOR HEAD—</b>		<b>JUDICIAL DEPARTMENT—</b>	
Question re grievances of Zamindars of village Sur Singh regarding — .. ..	425	Question re recruitment for Provincial and subordinate services of Police and — .. ..	696
<b>JAGAT SINGH—</b>		<b>JUDICIAL POSTS—</b>	
Question re Passport of — .. ..	680	Question re recruitment from Hissar for Executive and — .. ..	953
<b>JAGIR—</b>		<b>JULLUNDUR—</b>	
Question re—		Question re—	
Of Sardar Sardul Singh Caveashar .. ..	664-65	Courts in — .. ..	769
Of A. E. S. Balwant Singh .. ..	604	Courts of stipendiary Magistrates — .. ..	769
Rules for the retention of — .. ..	325	<b>JUMAT-UL-WIDA—</b>	
<b>JAGIRDARS—</b>		Question re annual inspection of Schools at Shahjahanpur and Chandpur on — day .. ..	986
Question re — .. ..	324	K	
<b>JAGIE SINGH AND UTTAM SINGH, LAMBARDARS—</b>		<b>KABUL SINGH, MASTER—</b>	
Question re dismissal of Sardars — .. ..	383	Resolution re repairs to Badshahi Mosque, Lahore .. ..	542-43
<b>JAGRAON MUNICIPALITY—</b>		Supplementary Demands—Public Health, participation of Public Health Department in the All-India Exhibition .. ..	441-42
Question re sources of income, etc., of — .. ..	229	<b>KALABAGH MUNICIPALITY—</b>	
<b>JAHRMAN—</b>		Question re system of election for Isakhel — and Pindigheb Municipalities .. ..	851-535
Question re cost of the additional police post at village — .. ..	671-72		
<b>JAIL VISITORS—</b>			
Question re — .. ..	30		
Question re — .. ..	320		
<b>JALALPUR KIKHAN—</b>			
Question re Premier's speech at— .. ..	987		
<b>JALAL-UD-DIN AMBER, CHAUDHRI—</b>			
Adjournment motion re relief to peasants of certain villages in tahsil Tarn Taran .. ..	276-78		

	PAGES.		PAGES.
<b>KALICHARAN—</b>		<b>KATBEHI KHURD—</b>	
Question re—		Question re Additional Police Post at — .. .. .	426
Release of — and Amar Nath, prisoners .. .. .	698	<b>KESHOPUR CHHAMB—</b>	
Arrest of — and Amar Chand of Congress Committee, Ludhiana .. .. .	974	Question re waterlogging by— ..	669
<b>KALLAR—</b>		<b>KHANNA MUNICIPAL COMMITTEE—</b>	
Question re — and Thur in Sheikhpura district .. .. .	786	Question re — .. .. .	751
<b>KARRO MINOR—</b>		<b>KHARARA—</b>	
Question re — .. .. .	394	Question re — .. .. .	596
<b>KAMAL NATH TEWARI—</b>		<b>KHARIP OROF—</b>	
Question re Mr. — a Lahore Conspiracy Case Prisoner .. .. .	388	Question re damage of — by floods .. .. .	649
<b>KAMRO DHAWAL—</b>		<b>KHIZAB HAYAT KHAN TIWANA, THE HONOURABLE NAWABZADA MAJOR MALIK—</b>	
Question re devastation by floods of the lands in — in Amritsar district .. .. .	884	Bill—	
<b>KANARI BAZAR CASE—</b>		District Boards (Amendment), The Punjab .. .. .	712
Question re Mr. Mangal Sain of — .. .. .	402	Municipal (Amendment), The Punjab .. .. .	731—33
<b>KANUNGOS—</b>		<b>KILLA GIFT FUND—</b>	
Question re — promoted as Naib-Tahsildar in Ferozepore district .. .. .	860	Question re— .. .. .	22
<b>KAPOOR SINGH, SARDAR—</b>		<b>KIRTI—</b>	
Resolution re exemption from attachment of agricultural produce .. .. .	827-28	Question re—	
<b>KARTAR SINGH, SARDAR—</b>		Confiscation of Newspaper — Newspaper .. .. .	591 565-66
Question re — Junior Vice-President, District Board, Ferozepore Rules of Procedure, Limitation of speeches on— .. .. .	877-78 1018	<b>KIRTI AKHAR—</b>	
<b>KASHMIR—</b>		Question re forfeiture of security of — .. .. .	5-6
Question re Travelling Allowance for Development Minister's tour to— .. .. .	971-72	<b>KISAN ORGANISATIONS—</b>	
<b>KATARPUR MINOR—</b>		Question re — .. .. .	988
Question re Dipalpur and Sohag-pura Canals and — .. .. .	948-49	<b>KISHEN DEVI—</b>	
<b>KARTAR SINGH, CHAUDHRI—</b>		Question re murder of Shrimati — wife of Lala Sarab Dial .. .. .	795
Adjournment motions, disallowance of — .. .. .	806	<b>KISHANGARH—</b>	
Adjournment motion re relief to peasants of certain villages in tahsil Tarn Taran .. .. .	271—74	Question re cattle robbery near village — .. .. .	398
Language of Debate .. .. .	164	<b>KISHAN SINGH, SARDAR—</b>	
Supplementary Demands. Forests re purchase of crockery and furniture for Viceroy's Visit .. .. .	432	Oath of Office .. .. .	1
<b>KATARDHAR—</b>		<b>KOT—</b>	
Question re grass cutting in — .. .. .	89	Question re village —, Bihla, etc. .. .. .	654
Question re — .. .. .	401	<b>KOT KAROR—</b>	
Question re extension of the scope of the Forest Enquiry Committee to — .. .. .	782	Question re cost of Additional Police Posts at villages — and Mudki .. .. .	419
<b>KATHANIAN—</b>		<b>KOTLA NAUDH SINGH—</b>	
Question re Deva Singh, Lam-badar and the adjournment motion re police raid on — .. .. .	323	Question re Panchayat at — .. .. .	500
<b>KATLUHI—</b>		<b>KUNDAN LAL—</b>	
Question re house search in village —, district Lahore .. .. .	674	Question re —, prisoner .. .. .	117
		<b>KURALI—</b>	
		Question re — and Siswan Road .. .. .	653
		<b>L</b>	
		<b>LAHORE CANTONMENT BOARD—</b>	
		Question re Rules made by — .. .. .	1077
		<b>LAHORE CONSPIRACY CASE—</b>	
		Question re convicts in second — .. .. .	740-41
		<b>LAHORE CONSPIRACY CASE PRISONER—</b>	
		Question re Mr. Kamal Nath Tewari, a — .. .. .	388
		<b>LAHORE DISTRICT BOARD—</b>	
		Question re — constituencies .. .. .	516

	PAGES.		PAGES.
<b>LAHORE IMPROVEMENT TRUST—</b>		<b>LANGUAGE OF THE ASSEMBLY—</b>	
Question re—		Amendment of Section 85 of the	
Compensation to persons re-		Government of India Act ..	1151
quired to leave portions of		Rules of Procedure re— ..	1131—52
their sites for roads by — ..	1114-15	<b>LAWRENCE STATUE—</b>	
Improvements by — ..	685-86	Question re — ..	477
<b>LAHORE MUNICIPAL COMMITTEE—</b>		Question re — on the Mall,	
Question re — ..	395	Lahore ..	697-98
Question re decision on petitions		<b>LAY-OUT PLANS—</b>	
by discharged employees of—	1111	Question re Building and —	
<b>LAHORI RAM PARDESI—</b>		rejected by the Lahore Muni-	
Question re Pandit — ..	111-12	cipality ..	1106—08
<b>LAL SINGH, SARDAR—</b>		<b>LEASE—</b>	
Adjournment motion re relief to		Question re — of an area on	
peasants of certain villages in		Panjowa Rajbah near Abohar	863
tehsil Tarn Taran ..	270	<b>LEAVE OF ABSENCE—</b>	
<b>LALU JAS RAI'S TEMPLE—</b>		Application of Chaman Lal,	
Question re — at Multan ..	391-92	Diwan, for — ..	43
<b>LAMBARDARS—</b>		Application of Teja Singh, Sardar,	
Question re emoluments to zaildars		for — ..	43
and — ..	462	<b>LEIAH TAHSIL—</b>	
Question re — ..	1080	Question re area of land in —	
Question re—		which will become culturable	
Resignations of — of village		under the Haveli Project ..	869
Gannaur ..	575	<b>LEVEL CROSSING—</b>	
Uttam Singh and Ujagar Singh	574-75	Question re — near village	
<b>LAND(S)—</b>		Manhra ..	125-26
Question re—		<b>LICENCES—</b>	
Area of — in Leiah tahsil which		Question re—	
will become culturable under		Cancellation of — of Sardar	
the Haveli Project ..	869	Kundan Singh, etc. ..	406
Compensation for the — ac-		Grant of — to Elphinston and	
quired for the Haveli Project	943-44	Movies Theatres at Simla ..	16
Grant of — to educated young		For Lorry Service on Hoshiar-	
men ..	314	pur-Dharamsala Road ..	302
<b>LAND GRANTS—</b>		<b>LIFT IRRIGATION—</b>	
Question re — to people in		Question re—	
Ludhiana district ..	748	For Eastern districts ..	596
<b>LAND REVENUE—</b>		Electric Power for — ..	607
Question re remission in — and		<b>LIMITS—</b>	
abiana in Montgomery district	957	Question re fixation of the — of	
Bill, The Punjab — (Amendment)	714—19,	Siwalik Hills and its effect on	
	727—29.	certain people ..	570-71
Question re—		<b>LIQUOR SHOP—</b>	
Honourable Revenue Minister's		Question re — on Railway Road,	
opinion on Assessment of —	405	Amritsar ..	962
In Montgomery district ..	473	<b>LIQUOR—</b>	
Remitted by Gurbakhsh Singh	316	Question re sale of — in All-	
Remissions in — and abiana in		India Exhibition ..	602
Sheikhupura and Nankana		<b>LIST A-II—</b>	
tahsils ..	609-10	Question re Extra Assistant Com-	
<b>LAND REVENUE ENQUIRY COM-</b>		missioners accepted from — ..	861-62
<b>MITTEE—</b>		<b>LOANS—</b>	
Terms of reference of — ..	457—66	Question re—	
<b>LAND-HOLDER—</b>		Application for — from the	
Question re average income of a —		Industries Department ..	113
in Beit ilaga, Ludhiana ..	748	By Co-operative Banks in	
<b>LAND PRESERVATION (CHOS) ACT—</b>		Rohtak, Gurgaon, Hissar	
Question re Proclamation under		and Karnal districts ..	378
section 7 of — in village		Floated by Punjab Government	365
Chalot ..	797-98	<b>LOCAL BODIES—</b>	
<b>LANGUAGE—</b>		Question re—	
Discussion re — of debate ..	164-65,	Elections to — under joint and	
	178,	separate electorates ..	891
	535-36.	Nominations to — ..	407
		Retirement of the employees	
		of — ..	877

	PAGES.		PAGES.
<b>LOCAL RATE--</b>		<b>MACNABB, MR. A. C.—</b>	
Question re payment of — and Professional tax by the inhabitants of village Lohar in Jullundur district .. ..	681-82	Question re —, Administrator, Municipal Committee, Lahore .. ..	495
<b>LORRY SERVICE—</b>		<b>MAGISTRATES—</b>	
Question re Licences for — on Hoshiarpur-Dharamsala Road .. ..	302	Question re number of cases decided by — in Ludhiana district .. ..	749-50
<b>LORRIES—</b>		<b>MAHALPUR—</b>	
Question re — and cars .. ..	567	Questions re graveyard of depressed classes in — .. ..	502
<b>LORRY STAND—</b>		<b>MAILSI CANAL—</b>	
Question re — in Amritsar .. ..	7	Question re — .. ..	393-94
<b>LOSS—</b>		<b>MAIZE CROPS—</b>	
Question re — due to construction of a bund in River Markanda .. ..	583	Question re — in Jullundur district .. ..	770
<b>LOUD SPEAKERS—</b>		<b>MAKRAH—</b>	
Question re—		Question re Middle School for boys and girls in — .. ..	19-20
Use of — by Ministers while addressing a meeting at Rori, etc. .. ..	488	<b>MAKHI KHURD—</b>	
Cost of providing — for Ministers to address public meetings .. ..	169-70	Question re representation from village — .. ..	234-35
<b>LOWER MANKA CANAL—</b>		<b>MALBA—</b>	
Question re — .. ..	222	Question re —	
<b>LUDHIANA—</b>		Abolition of — in the new settlement of Amritsar district .. ..	989
Question re—		Realization of — in Jagadhri .. ..	670
Hosiery Factories at — .. ..	955	Rendition of accounts of — to villagers of Sava Kalan .. ..	851
Protection of trade and Industry at — .. ..	954	<b>MALIK, MR. B.A.—</b>	
<b>LUDHIANA DISTRICT—</b>		Question re Lahore High Court Judgment in case — <i>versus</i> Lahore Municipal Committee .. ..	1104—06
Question re—		<b>MALIKANA—</b>	
Odes in Ferozepore and — .. ..	855	Question re rates of — .. ..	495
Roads in — .. ..	286	<b>MALUKA—</b>	
Sub-Inspectors in — .. ..	314	Question re Police Station — .. ..	496
<b>LUDHIANA MUNICIPAL COMMITTEE—</b>		<b>MANDI—</b>	
Question re—		Question re — at village Nau-shehra Virkan .. ..	372
Executive Officer — .. ..	880	<b>MANDI BABA-UD-DIN—</b>	
Executive Officer — .. ..	881	Question re—	
<b>LUDHIANA BOMB CASE—</b>		Notified area at — .. ..	663
Question re Ata Ullah of — .. ..	402	Punitive Police Post at — .. ..	298
<b>LYALLPUR MUNICIPAL COMMITTEE—</b>		<b>MANDHALI KALAN—</b>	
Question re — .. ..	656	Question re dacoity committed in —, district Gurdaspur .. ..	978
Question re — .. ..	658—60	<b>MANDI HYDRO-ELECTRIC SCHEME—</b>	
Question re resolution passed by the — .. ..	657	Question re —	
<b>LYALLPUR—</b>		Electric current to Delhi from — .. ..	364
Question re—		Second and third stages of the — .. ..	780
Municipal Committee .. ..	566	Supply of electricity from — .. ..	775
Waterlogging in — .. ..	958	<b>MANGAL SAIN—</b>	
<b>M</b>		Question re Mr. — of Kanari Bazar Case .. ..	402
<b>M.A., B. Ts.—</b>		<b>MANGOLI RAM—</b>	
Question re scales of pay for — and B.A., B.Ts., in Education Department .. ..	977	Question re Rao —, President, Municipal Committee, Jhajjar .. ..	765
<b>M.B., B.S.—</b>		<b>MANKA CANAL—</b>	
Question re selection of candidates for First year — .. ..	123-29	Question re Upper — .. ..	677
<b>MAOLAGAN ENGINEERING COLLEGE—</b>		<b>MANMOT NATH GUPTA, MR.—</b>	
Question re —		Question re Mr. Sachindra Nath Sanyal and — .. ..	30
Moghalpura — .. ..	791-92	<b>MANIMAJRA—</b>	
Workshop Superintendent of—, Moghalpura .. ..	792—94	Question re Veterinary Hospital in — .. ..	655

	PAGES.		PAGES.
<b>MANOHAR LAL, THE HONOURABLE</b>		<b>MAQBOOL MAHMOOD, M.R.—<i>contd.</i></b>	
<b>Mr.—</b>		<b>Rules Procedure—<i>contd.</i></b>	
Adjournment motions, Multi-		Arrangement of business, ..	147
plicity of, ..	334, 335	Language of the Assembly ..	1134-35
Rules of Procedure.		No confidence motions against	
Questions, Admissibility of,	818-19	Ministry ..	1005-07,
Language of the Assembly ..	1139-41		1008-09,
No confidence motion against			1010,
Ministry ..	1009-10	Questions, admissibility of, ..	255-56,
Re transaction of business ..	79-80		815-16,
Speaker and Deputy Speaker,			823-24
removal of, ..	68-69	Questions, answers to, ..	840-41
Supplementary Demands —		Questions, starred, number of,	
Forests re purchase of crock-		put by one member, ..	898, 901-2
ery and furniture for Vice-		Question, subject matter	
roy's visit ..	431-32	of, ..	152-53
Miscellaneous, Questionnaire		Questions, supplementary ..	830-31
issued by the Resources and		Reference to Committee ..	60-61
Retrenchment Committee ..	456	Re transaction of business ..	79
Police ..	434	Question re holding of different	
Public Health re participation		posts by — M. L. A. ..	117-18
of Public Health Depart-		Supplementary Demands —	
ment in the All-India Exhi-		Miscellaneous terms of refer-	
bition ..	449	ence of the Land Revenue	
Supplementary Estimates, pre-		Enquiry Committee ..	461-62
sentation of — ..	52	Public Health, participation	
Supplementary Statement of		of Public Health Department	
Expenditure authenticated		in the All-India Exhibition—	446-48
by Governor ..	806-07	Public Health Town Improve-	
<b>MAQBOOL MAHMOOD, M.R.—</b>		ment Trust, Lahore ..	452-53
Adjournment motion re —		<b>MAR BALOOHAN—</b>	
Anti-Congress campaign by		Question re Additional Police	
members of Punjab Cabinet	48	Posts at villages Burewala	
Arrests of Political workers ..	51	and — ..	136-37
Plunder of rice by Mussalis ..	144	<b>MARKANDA RIVER—</b>	
Police raid in village Katani	169-72	Question re loss due to construc-	
Strike of owners and drivers of		tion of a bund in — ..	583
motors taxis ..	239	<b>MARKANDA STREAM—</b>	
Strike by owners and drivers of		Question re damage done to lands	
motor taxis ..	339, 350,	by — near Shahabad ..	1121
	353, 354.	<b>MARKETING BILL—</b>	
Voluntary surrender of part of		Question re — ..	787
salaries and allowances by		Question re — ..	994
Ministers and their Secre-		<b>MASITAN VILLAGE—</b>	
taries ..	47	Question re reward for people	
<b>Bill—</b>		of — ..	596
The Punjab Muslim Aqaf,	734, 735	<b>MATCHES—</b>	
The Punjab Village and Small		Question re Excise duty on — ..	737-38
Towns Patrol (Amendment),		<b>MATERNITY CASES—</b>	
— ..	729	Question re arrangement for deal-	
Adjournment motions, Multi-		ing with — in Dera Ghazi	
plicity of — ..	335	Khan district ..	867
Point of order. Resolutions,		<b>MATHEA DAS HOSPITAL—</b>	
moving by Parliamentary		Question re — at Moga ..	957
Private Secretary ..	611	<b>MAYO HOSPITAL—</b>	
Resolution re release of hunger		Question re Ram Saran Das Ward	
strike prisoners ..	923-27	in — ..	1001
<b>Rules of Procedure—</b>		<b>MAZHAR ALI AZHAR—</b>	
Adjournment motion. Restriction		Question re class of prisoners as-	
on — ..	1035, 1046	signed to Maulvi — ..	787

PAGES.	PAGES.
<b>MEDICAL DEPARTMENT—</b>	<b>MINISTERS—concl'd.</b>
Question re ban on Government servants in — to join the Indian Medical Association ..	Travelling allowance of — .. 882
415	Travelling allowance of — .. 886
<b>MEDICAL OFFICERS—</b>	Travelling allowances paid to various — .. 733-40
Question re —	Tour of — and Parliamentary and Private Secretaries .. 970-71
As members of Bahadurgarh and Shahabad Municipal Committees ..	<b>MINISTER FOR DEVELOPMENT—</b>
1117	Question re—
Certificates in Criminal cases given by Government — ..	Speeches made against the Congress by the — in his tours .. 772
In charge of District Board Hospitals, Jullundur ..	Tours in which — addressed public meetings and criticising the Congress .. 906-69
592	Travelling allowance for — tour to Kashmir .. 971-72
<b>MEDICAL OFFICERS' SHARE—</b>	<b>MINISTERIAL POSTS—</b>
Question re — of rent and fee charges from in-door patients ..	Question re instructions by High Court regarding promotions to — .. 763
853	<b>MR DAD KHAN—</b>
<b>MEHAR SINGH, SARDAR—</b>	Question re charge of embezzlement against — .. 763-64
Question re —, Veterinary Assistant ..	<b>MISCELLANEOUS—</b>
878-79	Supplementary Demands — .. 455-66
<b>MEMBERS—</b>	<b>MISSION GIRLS' SCHOOL, JAGADHRI—</b>
Privilege of — ..	Question re Municipal grant to — .. 38
803-04	<b>MISTAKE—</b>
Privilege of — re entrance into the Secretariat compound ..	Rectification of — re removal of Beggary Bill .. 722
803-04	<b>MITHANKOTE—</b>
Question re expenditure incurred on allowances to the — and the Assembly Staff ..	Question re transhipment of goods at — in Dera Ghazi Khan district .. 866
1102	<b>MOBILE POLICE FORCE—</b>
<b>MEMORIAL—</b>	Question re — Ferozepore district .. 420
Question re —	<b>MOGA—</b>
By the occupancy tenants of Una ..	Question re Mathra Das Hospital at — .. 957
600	<b>MONTGOMERY JAIL—</b>
Sent by the inhabitants of Chichawatni ..	Question re Hunger strike by Political Prisoners in Lahore Central Jail and — .. 1084-85
599	<b>MORINDA—</b>
By voters of Hoshiarpur Municipality regarding nomination ..	Question re Road between—and Chamkaur .. 887
476	<b>MORTGAGES—</b>
<b>METAL WORKS INSTITUTE—</b>	Question re — of Agricultural land in Rawalpindi district .. 999-1100
Question re Diploma Examination of Government — Ambala ..	<b>MOSQUE—</b>
120-21	Question re — in village Rakhi, Shahpur district .. 193-94
<b>MILCH ANIMALS—</b>	<b>MOTIONS—</b>
Question re keeping of — by the officials of Criminal Tribes Department ..	Rules of procedure .. 1152
741-42	Rules of procedure. Notice of — or amendments .. 1152-53
<b>MILAP—</b>	<b>MOTOR ACCIDENTS—</b>
Question re forfeiture of security of — ..	Question re — .. 6
387	<b>MOTOR DRIVERS—</b>
<b>MILITARY PENSIONERS—</b>	Adjournment motion re strike of owners and — of motor taxis .. 238-240
Question re —	
Restoration of pensions of — ..	
849-50	
Question re — ..	
586	
<b>MILK—</b>	
Question re — for children to Municipal Committees of Jullundur and Hoshiarpur ..	
504	
<b>MINISTERS—</b>	
Adjournment motion re voluntary surrender of part of salaries and allowances by — and their Secretaries ..	
45-47	
Question re —	
Cost of providing Loud speakers for — to address public meetings ..	
969-70	
Expenditure incurred on allowances to Ministers and Parliamentary Secretaries ..	
1101	

	PAGES.		PAGES.
<b>MOTOR DRIVERS—<i>concl'd.</i></b>		<b>MUHAMMAD IFTIKHAR-UD-DIN,</b>	
Question re—		MIAN—	
Challenged and convicted ..	790	Adjournment motion re the re-	
Demonstration made by — at	1118	lease of Sardar Teja Singh,	
Lahore ..		Swatanter ..	336, 337
Subordinate Government serv-			338, 339.
ants working as — to their			
officers ..	397	Adjournment motion re strike by	
<b>MOTOR LICENCES—</b>		owners and drivers of motor	
Question re — for Una, Bharwain		taxis ..	343—50
and Santokgarh road ..	20	Bill. The Punjab Land Revenue	
<b>MOTOR TAXIS—</b>		(Amendment), ..	727
Adjournment motion re strike of		Resolution re conduct of proces-	
owners and drivers of — ..	238-40	sionists at Lahore ..	1055—57
Adjournment motion — re strike		Resolution re release of hunger	
by owners and drivers of — ..	339—59	strike prisoners ..	927-28
<b>MOTOR TRAFFIC—</b>		Resolution re repairs to Badshahi	
Bill. The Punjab — Offences ..	809—12	Mosque, Lahore ..	547
Question re —		Hunger strike of Political Prisoners	808-09
On Hoshiarpur-Tanda Road ..	505	Rules of Procedure. Adjourn-	
On Pathankot-Dalhousie Road	1100-01	ment motion, time for discus-	
<b>MOTOR VEHICLES—</b>		sion of, ..	1033
Question re wheel tax on — ..	790	<b>MUHAMMAD YUSUF KHAN, KHAN—</b>	
<b>MOTOR VEHICLES TAXATION BILL—</b>		Resolution re exemption from	
Question re — ..	1122-23	attachment of agricultural pro-	
<b>MR. CHAUDHRI—</b>		duce ..	644
Question re Insulting Language		Adjournment of the Assembly at	
used by certain military officers		12-30 on Fridays ..	337
towards — at the Head Ootroi		Adjournment motion re strike by	
at Rawalpindi ..	975	owners and drivers of motor	
<b>MRS. COMRADE RAM CHANDRA—</b>		taxis ..	347-48
Question re — ..	20-21	<b>MUKAND LAL, DE.—</b>	
<b>MUDKE—</b>		Question re—, Tuberculosis Officer,	
Question re Punitive Police Post		Municipal Committee, Simla ..	404
at village—, Ferozapore district	474	<b>MUKAND LAL PURI, RAI BAHADUR</b>	
<b>MUDKI, KOT KABOR—</b>		MR.—	
Question re cost of Additional		Resolution re exemption from at-	
Police Posts at villages — ..	419	tachment of agricultural pro-	
<b>MUHAMMAD ABDUL RAHMAN KHAN,</b>		duce ..	637-638
<b>CHAUDHRI—</b>		Rules of Procedure—	
Adjournment motion re relief to		Adjournment motion. Time for	
peasants of certain villages in		discussion of, ..	1033-34
tahsil Taran Taran ..	278-79	Motion for reference to Com-	
Regret by —for certain offensive		mittee ..	62
remarks ..	1002	Questions, admissibility of, ..	259
Resolution re repairs to Badshahi		Questions, supply beforehand	
Mosque, Lahore ..	556-57	of replies to, ..	832
<b>MUHAMMAD ALAM, DR. SHAIKH—</b>		Re sittings of the Assembly ..	71
Bill—		<b>MUNICIPAL (AMENDMENT) BILL—</b>	
The Punjab Hours of Work, ..	702, 703,	The Punjab — ..	731-34
	704, 705.	<b>MUNICIPALITIES—</b>	
The Punjab Land Revenue, ..	715	Question re —	
The Punjab Muslim Aqaf, ..	735	In which the system of election	
The Punjab Removal of	723	does not prevail ..	857—59
Beggary, ..		Reconstitution of superseded —	891
<b>MUHAMMAD FAIYAZ ALI KHAN,</b>		<b>MUNICIPAL COMMITTEE(S)—</b>	
<b>NAWABZADA—</b>		Jullundur—	
Resolution re Northern India		Question re —	
Canal and Drainage Act ..	610-11,	And the depressed classes ..	503
	612, 622.	Milk for children and — of Jul-	
<b>MUHAMMAD HAYAT KHAN NOON,</b>		lundur and Hoshiarpur ..	504
<b>NAWAB SIE MALIK—</b>		Jagadhri. Administration of, ..	38
Rules of Procedure. Motion for		Khanna — ..	751
reference to Committee ..	62-63	Lyallpur — ..	781-82
Supplementary Demands —		Elected President for —, Pani-	
Miscellaneous Terms of reference		pat ..	752—54
of Land Revenue Enquiry			
Committee ..	464		

	PAGES.
<b>MUNICIPAL COMMITTEE(S)—concl'd.</b>	
Lyalpur— .. ..	566, 666
Rao Mangli Ram, President, Jhajjar .. ..	765
Secretary, — Balabgarh ..	308, 597
<b>MUNICIPAL COMMITTEE ELECTIONS—</b>	
Question <i>re</i> —	
In Amritsar .. ..	322
Faridabad .. ..	308
<b>MUNICIPAL COMMITTEE, LYALLPUR—</b>	
Question <i>re</i> — .. ..	658—60
<b>MUNICIPAL COMMITTEE, PANIPAT—</b>	
Question <i>re</i> — .. ..	481
<b>MUNICIPAL COMMITTEE, RAIKOT—</b>	
Question <i>re</i> — .. ..	499-500
<b>MUNICIPAL COMMITTEE, SIMLA—</b>	
Question <i>re</i> — .. ..	23
<b>MUNICIPAL ELECTION OFFICER—</b>	
Question <i>re</i> — .. ..	2-3
<b>MUNICIPAL GRANT—</b>	
Question <i>re</i> — to Mission Girls' School, Jagadhri .. ..	38
<b>MUNI LAL KALIA, PANDIT—</b>	
Adjournment motion, Multipli- city of — .. ..	334, 335
<b>Bill—</b>	
The Punjab Municipal (Amend- ment), .. ..	731
The Punjab Land Revenue .. (Amendment), .. ..	716
The Punjab Removal of Beg- gary, .. ..	723
Point of order — <i>re</i> Starred Ques- tions not reached during ques- tions hour .. ..	427, 28
Resolution <i>re</i> conduct of proces- sionists at Lahore .. ..	1047-48
Resolution <i>re</i> exemption from at- tachment of agricultural pro- duce .. ..	628, 629, 630.
Resolution <i>re</i> repairs to Badshahi Mosque, Lahore .. ..	521-22, 529.
<b>Rules of Procedure—</b>	
Adjournment motion. Restric- tions on, .. ..	1036
Divisions, .. ..	1154
Language of the Assembly ..	1130, 1136- 37
Leave of absence, motion for, ..	905-06
No confidence motion against Ministry, .. ..	1007—09- 1011.
Notice of motions or amend- ments .. ..	1152
Questions, admissibility of, ..	252, 256- 57
Questions, answers to, .. ..	840
Questions, starred, number of, put by one member .. ..	902, 03

<b>MUNI LAL KALIA, PANDIT—concl'd.</b>	
Questions, subject matter of, ..	153—55
Sitting of the Assembly .. ..	73
Speaker and Deputy Speaker, Removal of .. ..	67, 68
<i>Re</i> transaction of business .. ..	81
Supplementary Demands — Pub- lic Health, participation of Public Health Department in the All-India Exhibition .. ..	436—38, 448, 449, 450.
<b>MUNSHI RAM—</b>	
Question <i>re</i> confinement in cells of — and other Political prison- ers .. ..	500
<b>MURAD KHAN—</b>	
Question <i>re</i> application of M. —	1078
<b>MURDER(S)—</b>	
Question <i>re</i> —	
Of Faqir of village Bhopali Of Shrimati Kishendevi, wife of Lala Sarab Dial .. ..	307
In Rohtak, Hissar, Gurgaon and Karnal districts .. ..	795
.. ..	375
<b>MUSLIM(S)—</b>	
Question <i>re</i> —	
Calling of Azan by — of Raja Jang .. ..	994-95
Percentage of — Judges and Sub-Judges .. ..	1001
Representation of — in Public Health and Buildings and Roads Branch of the Public Works Department .. ..	1001
<b>MUSLIM RAJPUTS—</b>	
Question <i>re</i> — of Ambala for Pro- vincial Services .. ..	568
<b>MUSLIM REPRESENTATION—</b>	
Question <i>re</i> — in Shahbad Town Committee .. ..	997-98
<b>MUSHTAQ AHMAD GURMANI, KHAN BAHADUR MIAN—</b>	
Adjournment motion <i>re</i> Police raid in village Katani .. ..	165, 173, 176.
Resolution <i>re</i> release of Hunger Strike Prisoners .. ..	928-30
Resolution <i>re</i> repairs to Badshahi Mosque, Lahore .. ..	553—56
<b>Rules of Procedure</b>	
Adjournment motion. Restric- tions on, .. ..	1040—41
Language of the Assembly .. ..	1131-32, 1150.
Questions, subject matter of, ..	240—42
<b>MUSLIM AQAQ—</b>	
Bill. The Punjab — .. ..	734-35
<b>MUSSALIS—</b>	
Adjournment motion <i>re</i> plunder of rice by, .. ..	143-44
Question <i>re</i> —	
Thefts by — in Sheikhpura district .. ..	795-96

PAGES.		PAGES.
	<b>MUTSADI LAL—</b>	
	Question re stopping of Lala — by police .. .. .	21
	<b>MUTTALARI—</b>	
	Question re Sayed — President of Faridabad Municipal Committee .. .. .	319
	<b>MUZAFFAR ALI KHAN QUILBASH, SARDAR—</b>	
	Adjournment motion re relief to peasants of certain villages in tahsil Tarn Taran .. .. .	274-75
	Point of order re Resolution, moving by Parliamentary Private Secretary .. .. .	611
	Rules of Procedure. Questions, answers to, .. .. .	838-39
	<b>N</b>	
	<b>NADANA—</b>	
	Question re complaint by zamindars of village — .. .. .	576
	<b>NAIB-TAHSILDAR, DASUYA—</b>	
	Question re — .. .. .	191
	<b>NAIB-TAHSILDARSHIP—</b>	
	Question re candidates for — .. .. .	665-68
	<b>NAIB-TAHSILDARS—</b>	
	Question re Tahsildars and — .. .. .	859-60
	<b>NAILI—</b>	
	Question re Ilaga — in Karnal district .. .. .	582
	<b>NAKTI NADI—</b>	
	Question re damage by — .. .. .	189-90
	<b>NAKENDRA NATH, DIWAN BAHADUR RAJA—</b>	
	Resolution re conduct of processionist at Lahore .. .. .	1061
	Rules of Procedure — Language of the Assembly .. .. .	1138
	<b>NARLI—</b>	
	Question re cost of additional police post at — .. .. .	761
	<b>NARNAUND—</b>	
	Question re Rajbaha — in Hansi tahsil .. .. .	755
	<b>NARWAR—</b>	
	Question re cost of additional police post at village — .. .. .	134-35
	<b>NATHAN SINGH—</b>	
	Question re — Jat of village Banchari .. .. .	304
	<b>NAUBAT RAI SAHNI, LALA—</b>	
	Question re appreciation of the services of — by the District Board, Ludhiana .. .. .	227-28
	<b>NAZUL LANDS—</b>	
	Question re — in village Bhabra in Lahore district .. .. .	476
	<b>NEW CANAL DIVISION—</b>	
	Question re a — in Shahpur .. .. .	224
	<b>NEWSPAPER—</b>	
	Question re—	
	Confiscation of — Kirti .. .. .	591
	Kirti — .. .. .	565-66
	And Court Notices .. .. .	287
	<b>NEWSPAPER—contd.</b>	
	Question re—	
	Refund of securities to — .. .. .	682
	Return of confiscated securities of— .. .. .	603
	Returning of securities of — .. .. .	689
	Securities of — .. .. .	314
	<b>NIGANA—</b>	
	Question re Restrictions on some people of village — .. .. .	399
	<b>NILI BAR—</b>	
	Question re inferior land tenancy grants in — .. .. .	872
	<b>NILON KALAN—</b>	
	Question re water-logging trouble in — Ludhiana district .. .. .	237
	<b>NO-CONFIDENCE MOTION—</b>	
	Rules of Procedure re — .. .. .	913-15 1003-26
	<b>NAGGAL—</b>	
	Question re complaints made by village of — .. .. .	655
	<b>NOMINATIONS—</b>	
	Question re —	
	To Local Bodies .. .. .	407
	To District Board, Ludhiana .. .. .	370
	To Hoshiarpur Municipality .. .. .	783
	Omission to nominate a Sikh for Municipal Committee .. .. .	869
	Fazilka .. .. .	869
	Resolution regarding — to Municipal Committee, Jhang .. .. .	1075
	<b>NON-MUSLIM REPRESENTATION—</b>	
	Question re — in Punjab Government and Jail Presses .. .. .	874-75
	<b>NORTHERN INDIA CANAL AND DRAINAGE ACT—</b>	
	Resolution re — .. .. .	610-27
	<b>NOTICE—</b>	
	Question re — served on Sayed Ata Ullah Shah Bukhari, an Ahrar Leader .. .. .	974
	Rules of Procedure re — of motions or amendments .. .. .	1152-53
	<b>NOTIFIED AGRICULTURAL TRIBES—</b>	
	Question re — and Sainis and Harnis .. .. .	479
	<b>NOTIFIED AREA—</b>	
	Question re —	
	At Mandi Baha-ud-Din .. .. .	663
	Chichawatni — .. .. .	599-600
	<b>NOWSHEHRA THANA—</b>	
	Question re complaints against Sub-Inspector of Police, District Gujranwala .. .. .	1074
	<b>NUR—</b>	
	Question re Tahsildar of — (Gurgaon) .. .. .	312
	<b>NUR MEH HIGH SCHOOL—</b>	
	Question re — embezzlement case .. .. .	881-82
	<b>NURSERY—</b>	
	Question re Fruit Plant — .. .. .	469

	PAGES.		PAGES.
<b>O</b>			
<b>OATH OF OFFICE—</b>		<b>PANCHOTRA—<i>concl'd.</i></b>	
Baldeo Singh, Sardar ..	189	Question <i>re</i> —	
Fatehjang Singh, 2nd Lieut. Bhai	1	Refund of — in Kaithal tah-	802
Ghulam Samad, Khawaja ..	1	sil .. ..	
Hari Lal, Munshi ..	1	<b>PASRUR—</b>	
Kishen Singh, Sardar ..	1	Question <i>re</i> Zoology in — College	593
Point of order <i>re</i> taking of ..	1	<b>PAYMENT—</b>	
<b>OBSCENE MATTER—</b>		Question <i>re</i> — of local rate and	
Question <i>re</i> — in Text Books ..	960	professional tax by the inhabit-	
<b>OCCUPANCY TENANTS—</b>		ants of village Lohar in Jullan-	
Question <i>re</i> —		dur district .. ..	631-82
Memorial by the — of Una ..	600	<b>PANIPAT FIRING—</b>	
Petition of by — of village		Question <i>re</i> method of inquiry by	
Mangewal .. ..	601	Mr. Askwith into the — ..	430
<b>OCTROI DUTY—</b>		<b>PAKPATTAN HOSPITAL—</b>	
Question <i>re</i> — on blankets and		Question <i>re</i> — .. ..	497
Pattus in Simla and Kangra		<b>PANCHAYATS—</b>	
districts .. ..	885-86	Question <i>re</i> —	
<b>ONES—</b>		And the Achhuts .. ..	507
Question <i>re</i> —		Election of village— of Pahu-	
In Ferozepore and Ludhiana		wind, tahsil Kasur .. ..	673
districts .. ..	855	<b>PAKPATTAN—</b>	
In Hissar District .. ..	952	Question <i>re</i> working of Agricul-	
<b>OFFENSIVE REMARKS—</b>		tural Department in Dipalpur	
Muhammad Abdul Rahman, Chau-		and — tahsils .. ..	132-33
dhri, regret by, for certain —	1002	<b>PANCHAYAT OFFICERS—</b>	
<b>OFFICERS—</b>		Question <i>re</i> — .. ..	862
Question <i>re</i> establishment in —		<b>PANIPAT RIOT—</b>	
under the Director of Public		Question <i>re</i> Deputy Superintendent	
Instruction, Punjab .. ..	988-89	of Police and — .. ..	694-95
<b>OFFICIAL RECEIVER—</b>		Papers laid on the Table ..	806-07
Question <i>re</i> —		<b>PARBATI DEVI, BIBI—</b>	
At Jhang .. ..	1113	Reference to late — .. ..	45
Commission earned by — ..	871	<b>PANIPAT—</b>	
Rules for appointment of — ..	411-12	Question <i>re</i> —	
<b>OFFICER OF THE INDUSTRIAL DE-</b>		Elected President for Municipal	
<b>PARTMENT AT LUDHIANA—</b>		Committee — .. ..	752-54
Question <i>re</i> — .. ..	114	Conciliation board — .. ..	585
<b>OFFICERS—</b>		<b>PANIPAT MUNICIPALITY—</b>	
Question <i>re</i> — in Hissar district ..	399	Question <i>re</i> Election of Pre-	
<b>OUTLETS—</b>		sident of — .. ..	995
Question <i>re</i> —		<b>PARLIAMENTARY SECRETARIES—</b>	
No. R. D. 41,388 Basarki Dis-		Question <i>re</i> Tours by Ministers	
tributary .. ..	235	and — and Private Secretaries	970-71
Closure of — on the Bhiwani		Questions <i>re</i> — .. ..	294
Branch .. ..	318	Question <i>re</i> Expenditure in-	
Remodelling of — in Lyallpur		curred on Allowances to	
district .. ..	786	Ministers and — .. ..	1101
<b>OVERHAULING—</b>		<b>PATHANKOT-DALHOUSIE ROAD—</b>	
Question <i>re</i> — of primary educa-		Question <i>re</i> motor traffic on—	1100-01
tion .. ..	1109	<b>PARLIAMENTARY SECRETARY—</b>	
<b>OVERSEERS—</b>		Question <i>re</i> —	
Question <i>re</i> — .. ..	36	And Private Secretary .. ..	962-64
<b>OWNERS (MOTOR)—</b>		Duties of a — .. ..	691
Adjournment motion <i>re</i> —		<b>PARLIAMENTARY PRIVATE</b>	
Strike by — and drivers of		<b>SECRETARY—</b>	
motor taxis .. ..	233-40	Point of Order <i>re</i> resolutions,	
	339-59	moving of, by — .. ..	611-12,
			647.
<b>P</b>			
<b>PANCHOTRA—</b>		Question <i>re</i> Rules governing the	
Question <i>re</i> — .. ..	989	work and remuneration of the	
Question <i>re</i> —		— .. ..	972
In respect of Nili Bar Colony ..	91	<b>PARBAP—</b>	
To Headmen of villages Tarf		Question <i>re</i> — son of Murari of	
Fattu and Gharals in Lahore		Delhi .. ..	306
district .. ..	1075-76		

	PAGES.		PAGES.
<b>PASSPORT—</b>		<b>PETITION—</b>	
Question re — of Jagat Singh	680	Question re — by occupancy tenants of village Mangewal .. .. .	601
<b>PARTY PROPAGANDA —</b>		<b>PETITIONS—</b>	
Questions re — carried on by the Honourable Ministers on tours	431	Question re decision on — by the discharged employees of the Lahore Municipal Committee..	1111
<b>PARLIAMENTARY SECRETARIES—</b>		<b>PENSIONS—</b>	
Questions by —, ruling re — ..	361	Question re restoration of — of Military pensioners ..	849-50
<b>PARTAB SINGH, SARDAR—</b>		<b>PEASANTS—</b>	
Adjournment motion re relief to peasants of certain villages in tahsil Tarn Taran ..	265-68	Adjournment motion re relief to — of certain villages in tahsil Tarn Taran ..	144-46
Personal explanation by — ..	712	Adjournment motions re —	
Resolution re conduct of processionists at Lahore ..	1061-62	Relief to — of certain villages in tahsil Tarn Taran ..	259-81
Resolution re Northern India Canal and Drainage Act ..	613-15	<b>PERENNIAL CANAL—</b>	
Rules of Procedure. Questions, Subject matter of, ..	243-44	Question re — in Dera Ghazi Khan .. .. .	221
Supplementary Demands— Miscellaneous, Terms of reference of Land Revenue Enquiry Committee..	459-61	Question re —	
<b>PATROL—</b>		And non-Perennial Canals in Haveli Project ..	688
Bill, The Punjab Village and Small Towns—(Amendment) Bill ..	729-31	<b>PERSONAL EXPLANATION—</b>	
<b>PARADING OF YOUNG SCHOOL BOYS—</b>		Partab Singh, Sardar — by ..	712
Question re — in connection with Viceregal Darbar ..	205-07	<b>PHOOKA—</b>	
<b>PATIENTS—</b>		Bill, The Punjab Anti — ..	727
Question re attending to paid — by doctors when on duty in hospitals, etc. ..	238	<b>PIARA SINGH—</b>	
<b>PATWARIES—</b>		Question re — and other Babar Akali Prisoners ..	381
Question re Canal and Revenue —	236	<b>PIND DADAN KHAN—</b>	
Question re —		Question re construction of an Inundation Canal in — ..	978-79
From Depressed Classes ..	379	Question re —	
And Girdawar-Qanungos in district Jhang ..	662	Taqavi Loans advanced in — .. .. .	978
Canal — ..	598	<b>PIND DADAN KHAN MUNICIPALITY—</b>	
<b>PASS PERCENTAGE—</b>		Question re re-instatement of six teachers of — ..	1112
Question re — for Parbhakar Examination ..	1079-80	<b>PINDIGHERH MUNICIPALITY—</b>	
<b>PALESTINE—</b>		Question re —	
Question re resentment of Punjab Muslims over the question of Palestine ..	200-01	System of election for Isakhel, Kalabagh and — municipalities .. .. .	851-53
<b>PAY—</b>		Question re — ..	973-74
Question re — of Sufaidposhes in the Punjab ..	803	Question re — ..	956
<b>PASTEUR INSTITUTE AT KASAU—</b>		<b>PLOTS—</b>	
Question re — ..	124	Questions re size of — of lands for building purposes ..	687
<b>PAY—</b>		<b>POINT OF ORDER—</b>	
Question re scale of — of Gauge Readers ..	425	Re Oath of Office ..	1
<b>PATWARIS AND KANUNGOS—</b>		<b>POLICE FORCE—</b>	
Question re Hindu agriculturists for the posts of —, etc. ..	802	Question re posting of — outside the Assembly Chamber ..	417
<b>PATSHALA —</b>		<b>POLICE—</b>	
Question re grant-in-aid for — Poonahana, district Gurgaon ..	765	Supplementary Demands— ..	424
<b>PAY—</b>		Question re complaints against—	491
Question re difference in —, etc., of the Anglo-Indian and Indian Police Inspectors ..	2	<b>POLITICAL SUSPECTS—</b>	
		Question re harsh treatment by Police to Sardar Harbans Singh and other — in Lahore Fort ..	7
		<b>POLITICAL ACTIVITIES—</b>	
		Question re ban on the — of the management of Denominational Schools .. .. .	882

	PAGES.		PAGES.
<b>POLITICAL WORKERS—</b>		<b>PARBHAKAR—</b>	
Adjournment motion <i>re</i> arrest		Question <i>re</i> pass percentage for	
of — .. .. .	50-51	— examination .. ..	1179-80
Question <i>re</i> — .. ..		<b>POSTER—</b>	
Names of — on the black list ..	681	Question <i>re</i> — “Shehr ke Safaid	
In Hoshiarpur district in Re-		Hathi” .. ..	691
gister X .. ..	410	<b>POLLING OFFICER—</b>	
<b>POLICE CHOWKIES—</b>		Question <i>re</i> — for elections to	
Question <i>re</i> — in the Amritsar		Municipal Committee, Sheikhu-	
district .. ..	892	pura .. ..	1078
<b>POLICE STATION—</b>		<b>POLITICAL OFFENCES—</b>	
Question <i>re</i> Establishment of		Question <i>re</i> number of persons	
a — at Garhdiwala .. ..	292	against whom action was	
<b>POLICE DEPARTMENT—</b>		taken for — .. ..	764-66
Question <i>re</i> recruitment for pro-		<b>POLICEMAN—</b>	
vincial and subordinate services		Question <i>re</i> complaints against	
of — and judicial department ..	696	a — for puncturing cycles ..	226-27
<b>POLICE POST COSTS—</b>		<b>POLITICAL PRISONERS—</b>	
Question <i>re</i> — recovered from		Question <i>re</i> — .. ..	743-44
village Dhardev .. ..	137-38	<b>POND—</b>	
<b>POLICE INQUIRY COMMITTEE—</b>		Question <i>re</i> — of stagnant water	
Question <i>re</i> — and corruption ..	470	in Haria, district Gujrat ..	608
<b>POWERS—</b>		<b>VILLAGE PONDS—</b>	
Question <i>re</i> grant of — to In-		Question <i>re</i> —	
spector and District Inspector		Tawan for filling up a	
of Schools by District Board,		— .. ..	317
Ludhiana .. ..	679-80	<b>POLITICAL PRISONERS—</b>	
<b>POLLING—</b>		Question <i>re</i> —	
Question <i>re</i> complaints against —		Corrected after 1st April 1937	890
at Nawanshahar .. ..	37	Question <i>re</i> — .. ..	882
<b>POLICE INSPECTORS—</b>		Question <i>re</i> Hunger strike by	
Question <i>re</i> difference in pay,		— in Lahore Central Jail,	
etc., of the Anglo-Indian and		and Montgomery Jail ..	1084-85
Indian .. ..	2	Arrests for — in Punjab ..	689
<b>POLICE RAID—</b>		<b>POLICE REPORTERS—</b>	
Adjournment motion <i>re</i> — in		Question <i>re</i> employment of — to	
village Katani .. ..	51-52,	take down the speeches of	
	164-187	Honourable Mr. Das and others	663
<b>POLICE BAND—</b>		<b>POLICE FORCE, GURGAON—</b>	
Question <i>re</i> — in Lahore .. ..	607	Question <i>re</i> representation of	
<b>POLITICAL PRISONERS RELEASE</b>		Agricultural tribes in — ..	1094
<b>COMMITTEE—</b>		<b>POLICE ROZNAMCHA—</b>	
Adjournment motion <i>re</i> Punjab —	804	Question <i>re</i> — .. ..	673-74
<b>POLITICAL PRISONERS—</b>		<b>POLICE BAND—</b>	
Hunger strike of — .. ..	807-09	Question <i>re</i> — .. ..	519
Question <i>re</i> — .. ..	320	<b>PREMIER—</b>	
Question <i>re</i> —		Adjournment motion <i>re</i> —	
Application by Chaudhri Kar-		remarks of — in connection with	
tar Singh for interview with		certain political cases ..	51
— .. ..	1118	<b>PRESIDENT—</b>	
Release of — repatriated from		Question <i>re</i> —	
Andamans .. ..	211-13	Election of — of Municipal Com-	
Chaudhri Kartar Singh, M.L.A.,		mittee, Panipat .. ..	995
and — in new Central Jail,		Small Town Committee, Gur-	
Multan .. ..	1120	gaon .. ..	308
On Hunger strike .. ..	1123	Small Town Committee, Budh-	
On Hunger strike .. ..	1124-26	lada .. ..	574
Question <i>re</i> — .. ..	361	Question <i>re</i> Municipal Com-	
Question <i>re</i> Return of fines		mittee, Panipat .. ..	26-27
from — .. ..	603	<b>PROSECUTING SUB-INSPECTORS—</b>	
<b>POLITICAL CONFERENCE—</b>		Question <i>re</i> Prosecuting Super-	
Question <i>re</i> Ballabgarh — ..	303	intendents, Prosecuting In-	
<b>POLITICAL GROUNDS—</b>		spectors and — .. ..	191-92
Question <i>re</i> arrest in the Punjab		<b>PROSECUTING INSPECTORS—</b>	
on — .. ..	292	Question <i>re</i> Prosecuting Super-	
		intendents, — and Sub-Inspe-	
		ctors of Police .. ..	191-92

PAGES.		PAGES.
	PRIMARY EDUCATION—	
	Question re — secondary and — for scheduled castes ..	606
	PRIMARY SCHOOLS—	
	Question re aid to — and Ele- mentary schools ..	581
	PRIVATE SCHOOLS—	
	Question re cut in grants-in-aid to — ..	975
	PRISONERS—	
	Question re Political — ..	361
	PROSECUTION—	
	Question re — of Sardar Balwant Singh Dhukha ..	293
	PREGNANT SHEEP—	
	Question re slaughtering of— and goats ..	1120
	PREMIER'S SPEECH—	
	Question re — at Jalalpur Kaknan ..	987
	PROSCRIBED BOOKS—	
	Question re — ..	688
	PRISONERS—	
	Question re — in the Andamans ..	17
	PROPERTY—	
	Question re return of — of Bhai Sahib Bhai Randhir Singh ..	586
	PRISONERS ON PROBATION—	
	Question re — ..	747
	PRIVILEGE OF MEMBERS—	
	Re members entrance into the Secretariat compound ..	803-04
	Rules of procedure ..	910-11
	PROVINCIAL CIVIL SERVICE—	
	Question re Achhuts in — ..	508
	PRIVILEGE MOTIONS—	
	Rules of procedure— ..	909-10
	PROVINCIALISATION—	
	Question re — of the posts of Secretary, District Boards, ..	1001
	PROCLAMATION—	
	Question re — by boat of drum in village Bhungarni ..	580
	PROVINCIAL SERVICES—	
	Question re claims of Muslim Rajputs of Ambala for — ..	568
	PROTECTION—	
	Question re — of trade and indus- try at Ludhiana ..	954
	PROVISIONS SHOP—	
	Question re — at Cherat ..	36
	PRIMARY EDUCATION—	
	Question re overhauling of — ..	1109
	PRISONERS—	
	Allotment of time for discussion of behaviour of processionists in connection with release of hunger strike — ..	896
	Resolution re release of hunger strike — ..	915-40
	PRIVATE MOTOR VEHICLES—	
	Question re — and public motor vehicles ..	787-89
	PROCEDURE—	
	Mistake of — re removal of Beggary Bill ..	722-25
	PROMOTION RULES—	
	Question re P. E. S. Class (I) — ..	594-95
	PROVINCIAL EDUCATIONAL SER- VICE—	
	Question re — Class (I) Promotion Rules ..	594-95
	PROSECUTING SUB-INSPECTORS—	
	Question re — and Inspectors ..	606
	PROCLAMATION—	
	Question re — under section 7 of Land Preservation (Chos) Act in village Chalot ..	797-98
	PROCESS-SERVICES—	
	Question re — and Madad Sheriffs in district Hissar ..	759-60
	PROSECUTING INSPECTORS—	
	Question re — and Sub-Inspectors ..	606
	PROFESSIONAL TAX OFFICER—	
	Question re vacancy for the posts of — and Head Clerk in District Board, Ferozepore. ..	869
	PROTECTION—	
	Question re — of Rojhan from river action ..	868
	PRIVATE AGRICULTURAL HOLDINGS—	
	Question re water supply for irrigation of — in the neighbour- hood of Dhundi Estate ..	864
	PROMOTION—	
	Question re — of Kanungos as Naib-Tahsildars in Ferozepore district ..	860
	PROVINCIAL AND SUBORDINATE SERVICES—	
	Question re — In Agriculture, Veterinary, and Industries Department ..	697
	In Revenue and Excise Depart- ments ..	696
	PROHIBITION—	
	Question re — ..	1097
	PROVINCIAL CIVIL MEDICAL SER- VICE—	
	Question re recruitment for — ..	126-27
	PROSECUTING SUPERINTENDENTS OF POLICE—	
	Question re — ..	191-92
	PROCESSIONISTS—	
	Allotment of time for discussion of conduct of — ..	940-41
	PRIMARY EDUCATION—	
	Question re scheme to overhaul — and secondary system of education ..	650
	PROCESSIONISTS—	
	Allotment of time for discussion of behaviour of — in connection with release of hunger strike prisoners ..	896
	PROVINCIALIZATION—	
	Question re — of roads in Hoshiar- pur district ..	664

	PAGES.		PAGES.
<b>PROCESSIONISTS—</b>		<b>PUBLIC WORKS DEPARTMENT—</b>	
Resolution <i>re</i> conduct of — at Lahore .. ..	1047-89	Question <i>re</i> inquiry into the working of — Central Workshops .. ..	684
<b>POLITICAL PRISONERS—</b>		<b>PUNJAB CIVIL SERVICE—</b>	
Question <i>re</i> — .. ..	31	Question <i>re</i> scheduled class representation in — .. ..	602
<b>PUBLIC HEALTH—</b>		<b>PUBLIC HEALTH BRANCH—</b>	
Supplementary Demands — ..	436-454	Question <i>re</i> representation of Mushims in — and Buildings and Roads Branch of the Public Works Department ..	1001
Supplementary Demands—Public Health, Participation of — Department in the All-India Exhibition .. ..	436-452	<b>PUBLIC HEALTH SCHOOL—</b>	
<b>PUNJAB CABINET—</b>		Question <i>re</i> students admitted to — Lahore .. ..	237
Adjournment motion <i>re</i> anti-Congress Campaign by members of — .. ..	48-49	<b>PUBLIC WORKS DEPARTMENT CONTRACTORS—</b>	
Question <i>re</i> programme of work before the — .. ..	200	Question <i>re</i> — for Roads and Buildings .. ..	478
<b>PUNITIVE POLICE—</b>		<b>PINJAWA RAJBAH—</b>	
Question <i>re</i> arrears of — tax from village Sur Singh ..	603	Question <i>re</i> lease of area on — near Abohar .. ..	863
<b>PUBLIC MOTOR VEHICLES—</b>		<b>PUNITIVE POLICE POST—</b>	
Question <i>re</i> private and — ..	787-89	Question <i>re</i> —	
<b>PUNJAB CONSPIRACY CASE—</b>		At Sahari Hardeo .. ..	516
Question <i>re</i> hunger-strike by a 1915-16 — prisoner .. ..	800-01	Refund of the cost of — Bhikhi-wind .. ..	330
<b>PUNJAB UNIVERSITY UNION—</b>		At Dhardeo .. ..	515
Question <i>re</i> subsidising — ..	785-86	Costs of — at villages Dall, Daberi, etc. .. ..	671
<b>PUNJAB CIVIL SERVICE (EXECUTIVE BRANCH)—</b>		At Jahman .. ..	514
Question <i>re</i> selection of candidates for the — .. ..	129-30	At Mandi Baha-ud-Din .. ..	298
<b>PUNITIVE POLICE POST—</b>		Question <i>re</i> — .. ..	224-25
Question <i>re</i> — in Ludhiana district .. ..	750	Question <i>re</i> — At Bhadaur in Karnal district .. ..	678-79
<b>PUBLIC—</b>			
Question <i>re</i> seating arrangements for — in various courts in district Hoshiarpur .. ..	745	<b>Q</b>	
<b>PUBLIC WORKS DEPARTMENT—</b>		<b>QUESTIONNAIRE—</b>	
Question <i>re</i> grievances of people of Thaska Miranji, etc., in Karnal district against — ..	678	Issued by the Resources and Retrenchment Committee .. ..	455-56
<b>PUBLIC MEETINGS—</b>		<b>QUESTIONS AND ANSWERS—</b>	
Question <i>re</i> cost of providing loud speakers for Ministers to address — .. ..	969-70	<b>ABDUL AZIZ, MIAN—</b>	
Question <i>re</i> tours on which Minister for Development addressed — criticising the Congress .. ..	966-69	Question <i>re</i> —	
<b>PUBLIC WELLS—</b>		Adjustment of the surplus realised from municipalities in Lahore and Multan Divisions .. ..	1110-11
Question <i>re</i> — and Harijans ..	610	Appeals by discharged employees of Lahore Municipal Committee .. ..	1112
<b>PUNJAB GOVERNMENT SECRETARIAT—</b>		Board for supervision and management of All-India Exhibition .. ..	1103-04
Question <i>re</i> scheduled class representation in the — .. ..	602-03	Building plans of houses to be built at Lahore .. ..	1111
<b>PUNJAB UNIVERSITY EXAMINERS—</b>		Building and Lay-out Plans rejected by Lahore Municipality .. ..	1106-08
Question <i>re</i> representation of Hindu Zamindars among — ..	1096-97	Change in the course of the River Ravi .. ..	1108-09
<b>PUNJAB REGULATION OF ACCOUNTS ACT—</b>		Communal Representation in services .. ..	1098
Question <i>re</i> working of the — ..	1002	Communal riots and disturbances in the Province .. ..	1098-99
<b>PUBLIC HEALTH DEPARTMENT—</b>			
Question <i>re</i> Achhuts in — ..	563		
<b>PURE FOOD ACT—</b>			
Question <i>re</i> working of — ..	691		

## QUESTIONS AND ANSWERS—

CONTD.

ABDUL AZIZ, MIAN—*concl'd.*

Question re—

Cottage Industries .. 1103

Decision on petitions by  
discharged employees of  
Municipal Committee,  
Lahore .. 1111Expenditure incurred on al-  
lowances to the members  
and the staff of the  
Assembly .. 1112Expenditure incurred on  
allowances to Ministers  
and Parliamentary Secre-  
taries .. 1101-02Improvement of female  
education .. 1110Introduction of system of  
election in Dalhousie Muni-  
cipal Committee .. 1108Lahore High Court Judg-  
ment in case Mr. B. A.  
Malik *Vs.* Lahore Muni-  
cipal Committee .. 1104-06Motor Traffic on Pathankot-  
Dalhousie Road .. 1100-01Overhauling of primary  
education .. 1109Principle observed by Ad-  
ministrator, Lahore, Muni-  
cipality in discharging its  
employees .. 1112-13Report of Inspector of Local  
Bodies .. 1110Re-instatement of six teach-  
ers of Pind Dadan Khan  
Municipality .. 1112Separate Municipal Act for  
the Town of Lahore .. 1108

ABDUL HAMID KHAN, SUFI—

Question re—

Claims of Muslim Rajputs of  
Ambala for Provincial  
Services .. 568

Conciliation Board, Panipat .. 585

Damage by Hill torrents in  
Ambala District .. 568-69Fixation of the limits of  
Siwalak Hills and its effect  
on certain people .. 570-71

Girls School, Rupar, .. 133

Grant of Lands to Agricul-  
turists in Ambala district .. 569-70Grievances of people of  
Thaaska Miranji, etc., in  
Karnal District, against  
Public Works Department .. 678Ilaga Naili in Karnal dis-  
trict .. 582Inclusion of Ambala District  
in scheme of irrigation by  
tube wells .. 570Loss due to construction of a  
bund in River Markanda .. 583Muslim District Inspectors  
in the Punjab .. 669-70

## PAGES.

## QUESTIONS AND ANSWERS—

CONTD.

ABDUL HAMID KHAN SUFI—*concl'd.*

Question re—

Posts of Deputy Commis-  
sioner, District and Sessions  
Judge and Senior Sub-Judge  
at Ambala .. 476Provincial and subordinate  
services in Revenue and  
Excise Departments .. 606Provincial and subordinate  
services in Agriculture,  
Veterinary, and Indus-  
tries departments .. 697Punitive Police Post at  
Bhaddaur, in Karnal dis-  
trict .. 678-79Realisation of *sailaba* from  
villages Ghangeri, Malakpur,  
etc., in tahsil Thanessar .. 584Recruitment for Provincial  
and subordinate services  
of Police and Judicial  
departments .. 696Scarcity of drinking water  
in certain villages in Ambala  
District .. 568Scheme for improvement of  
communications .. 573Utilization of Shahbad, Hansi  
and other funds in Ambala  
Division .. 1073

AFZAL ALI HASNIE, SAYED—

Question re—

Decrease passed in case of  
Agricultural Land by Sub-  
ordinate Judge, Gujrat .. 999

AHMAD YAR KHAN, CHAUDHRI—

Question re—

A new Canal Division in  
Shahpur .. 224Damage by waterlogging in  
Tahsil Phalia .. 373Extension of irrigation to  
Rakh Chargah, Bhera .. 761

Shahpur Branch Canal .. 220

Slaughtering pregnant sheep .. 220

Waterlogging in Harde  
Rerka, Tahsil Fazilka .. 374

AJIT SINGH, SARDAR—

Question re—

Chichawatni notified area  
Committee .. 599

Chichawatni notified area .. 599-600

Cinemas in Simla .. 26

Inferior Land Tenancy  
Grantees in Nili Bar .. 892Memorial sent by the inhabi-  
tants of Chichawatni .. 599Nuisance of cattle grazing in  
Beit along the Sutlej river .. 784

AKBAR ALI, PIR—

Question re—

Acreage Rate .. 862

Extra Assistant Commis-  
sioners .. 860-61

## INDEX.

QUESTIONS AND ANSWERS—  
CONTD.AKBAR ALI, PIR—*concl'd.*

Question re—

Extra Assistant Commis-  
sioners accepted from  
List A—II .. 861-62Irrigation Research Insti-  
tute .. 863-64Kanungos promoted as Naib-  
Tahsildars in Ferozepore  
district .. 860Lease of an area on Pan-  
jawah Rajbah near Abo-  
har .. 863

Panchayat Officers .. 862

Residents of Ferozepore dis-  
trict nominated for gov-  
ernment posts .. 861Tahsildars and Naib-Tahsil-  
dars .. 859-60Veterinary Hospital for  
Tohana, district Hissar .. 859

Zilladars .. 862

ALI AKBAR, CHAUDHRI—

Question re—

Candidates for Tahsildarship  
and Naib-tahsildarship .. 665-68Candidates for Extra Assist-  
ant Commissionership .. 668Waterlogging of lands by  
Keshopur Chhamb Lake .. 669

AMJAD ALI SHAH, SAYED—

Question re—

Reward for people of village  
Masitan .. 596

BARKAT ALI, MALIK—

Question re—

Calling of Azan by Mussal-  
mans of Raja Jang .. 994-95Complaints against Sub-  
Assistant Surgeon, Tanda .. 495Difference in pay, etc., of the  
Anglo-Indian and Indian  
Police Inspectors .. 2Election of President,  
Municipal Committee, .. 2

Panipat .. 995

Lahore Municipal Commit-  
tee .. 395Mr. A. C. Macnabb, Adminis-  
trator, Municipal Commit-  
tee, Lahore .. 495Method of inquiry by Mr.  
Askwith into the Pani-  
pat firing .. 480Municipal Committee, Pani-  
pat .. 481Municipal Committee,  
Fazilka .. 396President, Municipal Com-  
mittee, Panipat .. 26-27Panjab Civil Medical Service  
Officers .. 995-96Suspension of Lahore and  
Sialkot Municipalities .. 395QUESTIONS AND ANSWERS—  
CONTD.BARKAT ALI, MALIK—*concl'd.*

Question re—

Voting strength of Muslims  
in Fa ilka Municipal Com-  
mittee .. 396

BHAGAT RAM SHARMA, PANDIT—

Question re ferry charges in  
Kangra District .. 4-5

BRIM SEN SACHAR, LALA—

Question re—

Application by Chaudhri  
Kartar Singh for inter-  
view with political prison-  
ers .. 1118Appropriation accounts for  
the year 1935-36 .. 14-16Ban on the political activities  
of management of denomi-  
national schools .. 882Municipalities in which  
election system does not  
prevail .. 857-59

BINDA SARAN, RAI BAHADUR—

Question re—

Contract for steel gates for  
the Haveli Project .. 684Differences between Chair-  
man and members of  
Lahore Improvement Trust .. 686Improvement by Lahore  
Improvement Trust .. 685-86Inquiry into the working  
of Public Works Depart-  
ment, Central Workshops .. 684Size of plots of lands for  
building purposes .. 687Steel gates for Haveli Pro-  
ject .. 986-87Town Planner for Lahore  
Improvement Trust .. 686-87

CHAMAN LALL, DIWAN—

Question re—

Agricultural Marketing Bill  
Amir Haider Khan, a Regu-  
lation III Prisoner .. 994

Andaman Prisoners .. 976

Arrest of Kali Charan and  
Amar Chand of Congress  
Committee, Ludhiana .. 974

Bhai Basant Singh .. 27-28

Child Labour in Workshops .. 983

Cost of providing loud  
speakers for Ministers to  
address public meetings .. 969-70Cut in grants-in-aid to private  
schools .. 975Externment orders to Sardar  
Bhagwan Singh Longowalia .. 976

Hans Raj Wireless .. 29, 973

Insulting language used by  
certain military officers to-  
wards Mr. Chaudhri at  
the Head Octroi at .. 975

Rawalpindi .. 975

QUESTIONS AND ANSWERS—  
CONTD.CHAMAN LAL, DEWAN—*concl'd.*

Question re—

Municipal Committee, Pindi-  
gheb

973-74

Municipal Committee, Simla,  
and Tara Devi Barriers

994

Notice served on Sayed Ata  
Ullah Shah Bukhari,

an Ahrar Leader

974

Number of persons against  
whom action was taken  
for political offences

964-66

Parliamentary and Private  
Secretaries

962-64

Rules governing the work  
and remuneration of the  
Parliamentary Private

Secretaries

972

Shahpur Canal

972-73

Speeches made against the  
Congress by Minister for  
Development during his  
tours

972

Tour of Ministers and  
Parliamentary and Private

Secretaries

970-71

Tours on which Minister for  
Development addressed  
public meetings criticising  
the Congress

966-69

Travelling Allowance for  
Development Minister's  
tour to Kashmir

971-72

DASHBANDHU GUPTA, LALA—

Question re—

Administration of Muni-  
cipal Committee, Jagadh-  
ri

38

Arrest of Sardar Amar Singh  
Bemral

879-80

Arrests in Punjab for political  
offences

689

Attending to paid patients  
by doctors when on duty  
in hospitals, etc.

238

Ban on Dr. Hardyal to enter  
India

416

Bye-laws for the inspec-  
tion of records of Muni-  
cipal Committee, Lud-  
hiana

881

Carnival Companies

689-90

Cases of Benami transactions  
decided by Mr. Abdul

Rahman, Tahsildar

977

Chaman Lal, Mr., Ex-Chief  
Reporter of the *Hindustan**Times*

1118

Certificates in Criminal  
cases given by Government  
Medical Officers

238

Compulsory Primary educa-  
tion in Jagadhri

38

Decrees by Civil Courts and  
attachment of property by  
Indian merchants resid-  
ing in cantonments.

958

QUESTIONS AND ANSWERS—  
CONTD.DASHBANDHU GUPTA, LALA—*concl'd.*

Question re—

Enlistment of persons  
from Fatehpur Pundri in  
Government service

879

Executive Officer, Ludhiana

Municipality

881

Executive Officer, Municipal  
Committee, Ludhiana

880

Haji Abdul Qayyum

42

Honorary Magistrates

746

Hosiery Factories at  
Ludhiana

955-56

Inflammatory pamphlets  
like the "Rangila Tehwar  
and Shahadat"

976

Jagirdars

324

Lawrence statue on the Mall,  
Lahore

697-98

Looting, assaulting and riot-  
ing in Panipat city

976-77

Methods of realization of  
debts employed by trans-  
border money-lenders

690

Municipal grant to Mission  
Girls' School, Jagadhri

38

Nuh Meo High School Em-  
bezzlement case

881-82

Political prisoners on hunger  
strike

1124-26

Proscribed books

688

Protection of Trade and  
Industry at Ludhiana

954

Railway concessions for the  
Hosiery Factories at  
Ludhiana

1119

Release of Kalicharan and  
Amar Nath, prisoners

698

Returning of securities of  
newspapers

689

Revised terminal tax schedule,  
Cantonment Board, Am-  
hala

690

Rules for the retention of  
jagirs

325

Scales of fees charged by  
Civil Surgeons, etc.

237-38

Scales of fees charged by  
doctors employed in  
hospitals, etc.

324

Scales of pay for M.A., B.Ts.,  
and B.A., B.Ts., in  
Education Department

977

Secretary, Municipal Com-  
mittee, Jagadhri

37-38

Teaching of Hindi in  
Schools

1000

Travelling allowance of  
Ministers

882

Working of Pure Food Act..

691

DUNI CHAND, LALA—

Question re—

Anglo-Vernacular Middle  
School, Bela

65

## QUESTIONS AND ANSWERS—

CONTD.

DUNI CHAND, LALA—*contd.*

Question re—

Bribery and black-mailing in village Badyala Sindhu-an, district Sialkot ..	682-83
Bridge across River Somb, in Ambala district ..	654
Bridge over river Sutlej at Charota ..	651-52
Cases under section 124-A, I. P. C. ..	123
Complaints made by villages Naggal, Kharar tahsil, etc.	655
Concessions in fee for students belonging to scheduled castes ..	606
Construction of a Road between Samrala and Morinda ..	885
Copyists in District and Sessions Judges Courts ..	191
Corrupt officers ..	649-50
Corruption in Hissar Courts ..	653
Damage by Nakli Nadi ..	189-90
Damage of Kharif crops by floods ..	649
Danger to village Bali in Rupar tahsil by a Hill torrent ..	888
Diploma Examination of Government Metal Works Institute, Ambala ..	120-21
Electric power for lift Irrigation ..	607
Employment of police reporters to take down the speeches of Honourable Mr. Das and others ..	683
Famine in Gurgaon district ..	123
Ferry Boats fares in Ambala District ..	887-88
Findings of civil court in case Thakar Das vs. Inayat Husain ..	886
Grazing grounds ..	604
Jagir of Sardar Sardul Singh Cavesher ..	664-65
Kurali and Siawan roads in Ambala district ..	653
Level crossing near village Manhra ..	125-126
Number of crimes in 1936 ..	124
Octroi duty on blankets and pattus in Simla and Kangra districts ..	885-86
Overflow of Tangari Nadi ..	126
Pasteur Institute at Kasauli ..	124
Primary and secondary education for scheduled castes ..	606
Prosecuting Inspectors and Sub-Inspectors ..	606
Protection from floods from Tangari Nadi ..	124-25
Provision shop at Cherot ..	36

## QUESTIONS AND ANSWERS—

CONTD.

DUNI CHAND, LALA—*concl.*

Question re—

Punjab Government Quota for I.M.S. ..	130-31
Ramgarh-Jagadhri Road, in Ambala district ..	654
Realization of Malba in Jagadhri ..	670
Recommendations of the Rural Conference held at Ambala ..	368-69
Recruitment for Provincial Civil Medical Service ..	126-27
Reduction of travelling allowances ..	122-23
Refund of securities to newspapers ..	682
Refund claimed by inhabitants of village Sohana, district Ambala ..	655-56
Resentment against Municipal Committee, Simla ..	35-36
Road between Morinda and Chamkaur ..	887
Salaries to staffs of District Boards and Municipal Committees ..	651
Sales of land by agriculturists ..	118-20
Satta gambling ..	651
Scheme to overhaul Primary and Secondary system of education ..	650
Schools for Deaf and Dumb ..	606
Selection of candidates for First Year, M.B., B.S. ..	128-29
Selection of candidates for the P. C. S. (Executive Branch) ..	129-30
Simla-Kotgarh Road ..	34
Supply of water to Ambala City ..	126
Travelling Allowance of Ministers ..	886
Veterinary hospital in Manimajra, district Ambala ..	655
Villages Kot, Bihla, etc., in Ambala district ..	654
Water Works Engineer, Municipal Committee, Simla ..	34-35
Wells for scheduled castes ..	605

FARMAN ALI KHAN, SUBEDAR.

MAJOR RAJA—

Question re—

Elections to District Board, Rawalpindi ..	889
Elections to District Board, Rawalpindi ..	888-89
Honorary Magistrates in Rawalpindi district ..	889
Intermediate Colleges and High Schools in Rawalpindi Division ..	663

	PAGES.
<b>QUESTIONS AND ANSWERS—</b> <b>CONTD.</b>	
<b>FATEH JANG SINGH, 2ND-LIEUTENANT BRAI—</b>	
Question re—	
Drinking water in tahsil Sirsa .. ..	1071
Powers of canal executive to hear complaints against zamindars .. ..	801-02
<b>FATEH SHEER KHAN, MALIK—</b>	
Question re Panchotra in respect of Nili Bar Colony ..	91
<b>FAZAL DIN, K. S. CHAUDHRI—</b>	
Question re—	
Ajnala-Kothi Bhindian Road, Atari-Ajnala Road ..	92-93
Bridge on Ajnala-Kothi Bhindian road ..	93
Bridges across Sakki Nallah Canal and Revenue Patwaries ..	92
Criminal cases under sections 183, 332, and 353, Indian Penal Code ..	236
Over flooding of Sakki Nallah Roads in rural areas ..	92
<b>GHAZANFAR ALI KHAN, RAJA—</b>	94-95
Question re—	
Construction of an Inundation Canal in tahsil Pind Dadan Khan ..	978
Taqavi Loans advanced in tahsil Pind Dadan Khan ..	978
Water works scheme for Pind Dadan Khan ..	979
<b>GHULAM HUSAIN, KHAWAJA—</b>	
Question re—	
A poster "Shehr ke Sufaid Hathi" .. ..	691
Assessment appeals before Commissioner, Multan ..	492
Civil Disobedience Movement by Ahrars ..	1126
Decree passed on agricultural land by Subordinate Judge, Gujrat ..	766-68
Duties of a Parliamentary Secretary .. ..	691
Excise duty on Matches ..	737-38
Grant of lands to Trini Guzars in Burala Extension, etc. .. ..	494
Grants to Trini Guzars in Pir Mahal Extension ..	493
Honorary Magistrates and Honorary Civil Judges ..	493
Lorries and cars ..	567
Lyalpur Municipal Committee .. ..	566
Preference to retrenched servants in new recruitment .. ..	691-92
Raising of Samundari to a Small Town .. ..	491

	PAGES.
<b>QUESTIONS AND ANSWERS—</b> <b>CONTD.</b>	
<b>GHULAM SAMAD, KHAWAJA—</b>	
Question re—	
Auction of Muslim Burial Ground in Hansi .. ..	1117
Banaspoti Ghee .. ..	1117
Bhakra Dam Scheme .. ..	1117
Building of a Slaughter House by Tohana Municipal Committee .. ..	1118
Bund in North of Sadhaura Town .. ..	1116
Bund in the North of Sadhaura in Ambala district ..	997
Communal representation among Gazetted Officers of Irrigation Research Institute .. ..	979-985
Damage done to lands by Markanda Stream near Shahabad .. ..	1121
Instructions by High Court regarding promotions to Ministerial posts .. ..	763
Irrigation Research Institute .. ..	1090
Lala Salig Ram of Municipal Committee, Simla .. ..	405
Lala Shankar Nath of Municipal Committee, Simla .. ..	405
Medical officers as members of Bahadurgarh and Shahabad Municipal Committees .. ..	1117
Mukand Lal, Dr., Tuberculosis Officer, Municipal Committee, Simla .. ..	404
Muslim representation in Shahabad Town Committee .. ..	997-98
Slaughtering of pregnant sheep and goats .. ..	1120
<b>GIRDHARI DASS, MAHANT—</b>	
Question re—	
Cattle-lifters in Multan and Montgomery districts .. ..	42-43
Civil and Veterinary rural hospitals in Montgomery district .. ..	131-32
Waterlogging in certain villages in Dipalpur tahsil .. ..	42
Working of Agricultural Department in Dipalpur and Pakpattan tahsils .. ..	132-3
<b>GOPICHAND BHARGAVA, DR.—</b>	
Question re—	
A booklet "Jangal ki Dastan" .. ..	502
Additional Police Post at Dhardev .. ..	107

# QUESTIONS AND ANSWERS— CONTD.

GOP! CHAND BHARGAVA, DE.—*contd.*

Question re—

Amendments of section 85 of the Government of India Act, 1935 ..	853-54
Application by Shrimati Rameshwari Nehru ..	1078-79
Application of M. Murad Khan ..	1078
Appointment of Special Official Receiver as Guardian of the sons of Rai Bahadur Sundar Das Chopra of Dinga ..	1119-20
Arrears of punitive police tax from village Sur Singh ..	603
Assistants to Special Official Receiver ..	415
Auditing of accounts kept by Special Official Receiver ..	415
Channel of correspondence between Cantonment Boards and Punjab Government ..	1081-82
Chaudhri Kartar Singh, M.L.A., and political prisoners in Central Jail ..	1120
Clerks who applied for leave during 1937 to Deputy Commissioner, Ferozepore ..	699
Clerks of Deputy Commissioner's Office, Ferozepore, who were given charge sheets during the year 1937 ..	699-700
Deputy Commissioner's Office Ferozepore ..	700
Complaints by the residents of Samundri, against Superintendent of Police, Samundri ..	1074
Complaints against Sub-Inspector of Police, thana Nowshahra, district Gujranwala ..	1074
Comrade Bakhshi Ram ..	766
Confiscation of newspaper <i>Kirti</i> ..	591
Class of prisoners assigned to Maulvi Mazhar Ali Azhar ..	463
Delegation of powers to Bazar Committees by Cantonment Boards, Rawalpindi, Sialkot and others ..	7 87
Enquiry on the telegram sent by Sardar Atma Singh, President, Municipal Committee, Sheikhpura ..	1082
Inspector-General of Prisons ..	1077
Instructions for reduction in the number of I. M. S. Officers in the Punjab ..	891
	855—57

# QUESTIONS AND ANSWERS— CONTD.

GOP! CHAND BHARGAVA, DE.—*contd.*

Question re—

Jagir of A. E. S. Balwant Singh ..	604
Lambardars ..	1080
Marketing Bill ..	787
Medical Officers' share of rent and fee charges from indoor patients ..	853
Medical Officers in charge of District Board Hospitals, Jullundur ..	592
Motor Drivers challaned and convicted ..	790
Murder of Shrimati Kishendevi, wife of Lala Sarab Dial ..	795
Odes in Ferozepore and Ludhiana districts ..	855
Panchotra to headmen of villages Turf Fattu and Ghariala in Lahore district ..	1075-76
Pass percentage for Parbhakar examination ..	1079-80
Petition case of Bharat Insurance Company ..	1119
Political prisoners convicted after 1st April, 1937 ..	890
Powers of Special Official Receiver ..	414
Political prisoners ..	743-44
Political prisoners on hunger strike ..	1123
Polling Officer for elections to Municipal Committee, Sheikhpura ..	1078
Pond of stagnant water in Haria, district Gujrat ..	608
Private and public motor vehicles ..	787—89
P. E. S. Class (I) Promotion Rules ..	594-95
Qualifications of Special Official Receiver ..	414
Remuneration to Special Official Receiver ..	414
Representations regarding Ravi-Beas Link Scheme ..	1074
Research by Dr. B. L. Bhatia in Zoology ..	593
Resolution regarding nominations to Municipal Committee, Jhang ..	1075
Retirement of Dr. B. L. Bhatia ..	593-94
Return of fines realized from political prisoners ..	603
Return of confiscated securities of newspapers ..	603
Revised tax schedule for Ambala Cantonment ..	604

QUESTIONS AND ANSWERS—  
CONTD.GOPI CHAND BHARGAVA, DE.—*concl'd.*

## Question re—

Rules for keeping of Accounts of Special Official Receiver	415
Rules by Lahore Cantonment Board ..	1077
Rules for appointment of Official Receivers ..	411-12
Scheduled class representation in the Punjab Government Secretariat ..	602-03
Scheduled class representation in Punjab Civil Service ..	602
Special Official Receiver ..	414, 467-68, 469.
Sub-Divisional Officer, Pindigheb and Sardar Binda Singh ..	12-13
Sub-Inspector of Police, Sialkot ..	890
Supersession of Dr. B. L. Bhatia ..	595
System of election for Isakhel, Kala Bagh and Pindigheb Municipal Committees ..	851-53
Taxes by Cantonment Boards in the Punjab ..	1082-83
Thefts by Mussallis in Sheikhupura district ..	795-96
Water-tax on unconnected shop and godowns in Rawalpindi Cantonment ..	1082
Wheel tax on motor vehicles ..	790
Zoology in Pasrur College ..	503

GURBACHAN SINGH, SARDAR  
SAHIB SARDAR—

## Question re—

Assessment of gardens to land revenue ..	1072-73
Borings done in Hoshiarpur and Jullundur ..	772
Cheap electricity for irrigation purposes ..	776
Committee to consider supply of electricity to Delhi ..	774
Cost of line to supply electricity to Delhi ..	774
Cotton crop in Jullundur district ..	770
Courts in Jullundur ..	769
Courts of stipendiary magistrates, Jullundur ..	769
Extension of Hydro-Electric scheme in rural areas ..	776
Fodder crops in Jullundur district ..	771
Hydro-Electric Committee ..	781

QUESTIONS AND ANSWERS—  
CONTD.GURBACHAN SINGH, SARDAR SAHIB  
SARDAR—*concl'd.*

## Question re—

Inquiry regarding sub-soil water in Jullundur and Hoshiarpur districts ..	771
Insanitary condition in the New Hostel of the Government College, Lahore ..	1087-88
Maize crop in Jullundur district ..	770
Sugarcane in Jullundur district ..	770
New buildings for courts in Jullundur ..	769
Per unit cost of production of electricity ..	774
Rural extension scheme of Mandi Hydro-Electric ..	777
Second and third stages of the Mandi Hydro-Electric Scheme ..	780
Supply of Hydro-Electric energy for agricultural purposes ..	780
Supply of electricity from Mandi Hydro-Electric scheme ..	775
Supply of electricity for productive purposes ..	775-76
Tour of Honourable Minister for Revenue in Bist Jullundur Doaba ..	772-73
Tube-wells ..	777-79
Tube-well scheme for the Province ..	773
Water level in Doaba Bist Jullundur ..	771-72

HARI SINGH, SARDAR—

## Question re—

Abattoir Scheme at Lahore Cantonment ..	207
Application of transfer of Sardar Teja Singh Swatantar, a State prisoner, to another jail ..	961
Arrests in the Punjab on political grounds ..	292
Arrest and convictions in Hoshiarpur district ..	313
Arrest and detention of Ishar Singh, approver, in Bela Singh Murder Case ..	477
Baba Chanan Singh, a political prisoner ..	390
Babar Akalis prisoners suffering from tuberculosis and other diseases ..	388
Babar Akali prisoners ..	409

# QUESTIONS AND ANSWERS— CONTD.

HARI SINGH, SAEDAR—*continued.*

## Question re—

Ban on Government servants in Medical Department to join the Indian Medical Association ..	415
Boat disaster ..	226
Cancellation of licences of Sardar Kundan Singh, etc. ..	406
Cases under Criminal Law Amendment Act ..	601
Censoring of Subhas Chandra Bose's correspondence ..	296
Circular issued by Government regarding prevention of corruption ..	291
Compensation to Punjabee victims of the Bihta Train Disaster ..	215-16
Complaint against a policeman ..	226-27
Complaint made by Charan Singh ..	742-43
Complaint against a Police Constable named Din Muhammad ..	385
Complaints against police ..	491
Comrade Gurmukh Singh ..	213
Compulsory attendance of people of locality in a meeting addressed by Ministers at Bhullan ..	490
Confinement in cells of Munshi Ram and other political prisoners ..	500
Confiscation of property of Amir Haider ..	798
Confinement of Babar Akali prisoners in cells ..	408
Construction of Dhussj and its effect on lands near it ..	385
Cotton ..	301
Criminal Investigation Department reporters at Lajpat Rai Hall ..	797
Criteria for Tenders for Haveli Project ..	408
Demonstration made by motor drivers at Lahore ..	1118
Dismissal of Sardars Jagir Singh and Uttam Singh, lambardars ..	383
Dr. Hardyal ..	209-11
Education Minister's Advice to Depressed Classes ..	406
Election of Lambardars, etc., to local bodies on Congress ticket ..	8-9
Electoral Rolls of Small Town Committee, Una ..	847-49
Establishment of a police station at Garhdiwala ..	29

# QUESTIONS AND ANSWERS— CONTD.

HARI SINGH, SAEDAR—*continued.*

## Question re—

Expenditure incurred in connection with the Viceregal Darbar ..	201-02
Externment order served on Sardar Bhagwan Singh Longowalia ..	595-96
Extension of the scope of the Forest Enquiry Committee to Katardhar ..	792
Forest Commission ..	213-14
Forfeiture of security of Milap ..	387
Grants of lands to educated young men ..	314
Grant of licences to Elphinstone and Movies Theatres at Simla ..	16
Grievances of owners of vehicles ..	315
Hans Raj "Wireless" ..	782
Hon'ble Revenue Minister's opinion on Assessment of Land Revenue ..	405
Honorary Magistrates ..	301
Hoshiarpur-Phagwara Road ..	490
Hunger-strike by Political Prisoners in Lahore Central Jail and Montgomery Jail ..	1084-85
Illegal detention of Sardars Gurmukh Singh and Amarjit Singh ..	313
Inconvenience caused to members of the Assembly due to overcrowding in the Chamber ..	1121-22
Increase of strength of Criminal Investigation Department ..	408
Instructions to Government servants ..	367
Katardhar ..	401
Licences for Lorry Service on Hoshiarpur-Dharamsala Road ..	302
Lala Ishar Das of Gardhiwala ..	134
Land Revenue remitted by Gurbakhsh Singh ..	316
Liquor shop on Railway Road, Amritsar ..	962
Lawrence Statue ..	477
Memorial by voters of Hoshiarpur Municipality regarding nomination ..	476
Memorial by the occupancy tenants of Una ..	600
Motor Vehicles Taxation Bill ..	1122-23
Mr. Kamal Nath Tewari, a Lahore Conspiracy Case prisoner ..	388

QUESTIONS AND ANSWERS—  
CONTD.HARI SINGH, SARDAR—*contd.*

## Question re—

Mussammat Ishar Kaur of village Raipur. ..	312
Naib-Tahsildar Dasuya ..	191
Nominations to local bodies ..	407
Nominations to Hoshiarpur Municipality ..	496
Nomination to Hoshiarpur Municipality ..	783
Obscene matter in Text Books ..	960
Panchayat at Kotla Nandh Singh ..	500
Parading of young school Boys in connection with Viceregal Darbar ..	205—07
Parliamentary Secretaries ..	294
Party propaganda carried on by the Honourable Ministers on tours ..	481
Payment of land revenue by Sardar Harjeb Singh, M. L. A. ..	216
Perennial and non-perennial canals in Haveli Project ..	688
Petition by occupancy tenants of village Mangewal ..	601
Piara Singh and other Babar Akali prisoners ..	381
Pindigheb Municipal Committee ..	956
Proclamation by beat of drum in village Bhungarni ..	580
Proclamation under section 7 of Land Preservation (Chos) Act in village Chalot ..	797—98
Programme of work before the Punjab Cabinet ..	200
Prosecution of Sardar Balwant Singh Dukhia ..	293
Political workers in Hoshiarpur district in Register No. X ..	410
Posting of Police Force outside the Assembly Chamber ..	417
Provincialization of roads in Hoshiarpur District ..	664
Refusal of permission to Gyani Ram Singh to interview Sardar Balwant Singh ..	407
Release of political prisoners repatriated from Andamans ..	211—13
Release of Messrs Sanyal and Gupta ..	208-09
Release of Babar Akali Prisoners, etc. ..	407
Remissions to Babar Akali and Conspiracy Cases prisoners ..	390

PAGES.

QUESTIONS AND ANSWERS—  
CONTD.HARI SINGH, SARDAR—*contd.*

## Question re—

Reports of proceedings of public meetings in the Punjab ..	13-14
Representation by the Central Asian Traders and Charas Dealers Association, Hoshiarpur ..	980
Representation against the Additional Police Post, village Sahungra ..	602
Resentment of Punjab Muslims over the question of Palestine ..	200-01
Retirement of Dr. B. L. Bhatia, P. E. S. ..	487
Sale of liquor in All-India Exhibition ..	602
Sardar Balwant Singh 'Dukhia', a political prisoner ..	798-99
Scheme to combat menace to agriculture in Hoshiarpur, etc. ..	291
School for deaf-mute children ..	960
Seating arrangements for public in various courts in district Hoshiarpur ..	745
Security deposited by Diwan Printing Press ..	796-97
Securities of newspapers ..	314
Slab area in Hoshiarpur district ..	401
Speech of the Honourable Minister of Development at the Ad Dharmis' Conference ..	491
Speech of M. Zaffar Ali Khan, M. L. A. (Central) ..	402
Speech of Revenue Assistant, Hoshiarpur ..	365
Strike by motor and taxi drivers and owners on New Year Day ..	1089
Summer vacation for schools in the Punjab ..	7
Text Books prescribed by the Text Book Committee ..	301
Thikri Pehra in village Phungarni in Hoshiarpur district ..	488
Thikri Pehra in certain villages in Hoshiarpur district ..	390
'Torture' method of investigation by Police ..	799-800
Travelling allowances to members when attending Courts ..	501

PAGES.

QUESTIONS AND ANSWERS—  
CONTD.HARI SINGH, SARDAR—*concluded.*

Question re—

Transfer of Sh. Ghulam Mohy-ud-Din, Sub-Inspector, Police, Sheikhpura ..	410
Travelling Allowances, etc., earned by Ministers ..	484
Ujagar Singh of village Dhamiah Kalan ..	407
Use of loud speakers by Ministers while addressing a meeting at Posi, etc. ....	488
Viceregal Darbar ..	202—05

HARNAM SINGH, LIEUTENANT  
SODHI—

Question re —

Absconders ..	693-94
Bagha Purana Nihalsingh-wala Road ..	878
Bench of Honorary Magistrates at Ferozepore ..	870
Burning of Guru Granth Sahib at Dipalpur ..	948
Cattle lifting, theft and burglary in Ferozepore district ..	693
Commission earned by Official Receivers ..	871
Crown land ..	947-48
Deputy Superintendent of Police and Panipat riot Dipalpur and Sohagpura Canals and Kartarpur minor ..	694-95
Dismissal or suspension of clerks by Mr. Amin-ud-Din, I.C.S. ..	948
Electric current to Delhi from Mandi Hydro-Electric Scheme ..	596-97
Electricity for Agricultural purposes ..	364
Filling of vacancies in the Deputy Commissioner's Office, Ferozepore ..	364
Free supply of vegetables from jail gardens to Government officials ..	953
Fruit Plant Nurseries ..	953-54
Government servants who were granted extensions in their service ..	469
Grey canals, Ferozepore ..	695
Honorary Magistrates and Civil Judges ..	949-50
Importation of unlicensed firearms from Bikaner State ..	871
Kharaba ..	692
Land Revenue in Montgomery district ..	596
Loan floated by Punjab Government ..	473
	365

QUESTIONS AND ANSWERS—  
*contd.*HARNAM SINGH, LIEUTENANT  
SODHI—*concluded.*

Question re—

Mathra Das Hospital at Moga ..	957
Omission to nominate a Sikh for Municipal Committee, Fazilka ..	869
Police Inquiry Committee and corruption ..	470
Prisoners on probation ..	747
Punitive Police Post at village Mudke in Ferozepore district ..	474
Recruitment of Sikhs as police constables ..	96-7
Recruitment of District Medical Officers ..	98
Remission in Government dues in Montgomery district according to the sliding scale ..	956-57
Remission in land revenue and Abiana in Montgomery district ..	957
Roads in Ferozepore district ..	97-8
Sardar Mehr Singh, Veterinary Assistant ..	878-79
Sardar Kartar Singh, Junior Vice-President, District Board, Ferozepore ..	877-78
Sikh representation in Deputy Commissioners' and Commissioner's Offices in the Punjab ..	2
System of tube-wells in the Punjab ..	971
Taxes for shop-keepers ..	98
Tour of the Deputy Commissioner, Ferozepore ..	954
Travelling Allowances and Daily Allowances ..	475
Vacancy for posts of Professional Tax Officer and Head Clerk for Ferozepore District Board ..	869

HARI LAL, MUNSHI

Question re —

Authorized irrigation in Dera Ghazi Khan district ..	236
Baloch Deputation ..	222
Circular regarding half fee concession ..	289
Gowshalas under the control of District Board, Muzaffargarh ..	608
Gurmukh Singh, Andaman Prisoner ..	1086-87
Inundation Canals in Dera Ghazi Khan ..	221

QUESTIONS AND ANSWERS—  
CONTD.

HARI LAL, MUNSHI—concluded.

Question re—

Irrigated area in Dera Ghazi Khan .. ..	221
Kahror Minor .. ..	384
Lalujas Rai's Temple at Multan .. ..	391-92
Lower Manka Canal .. ..	222
Mailsi Canal .. ..	393-94
Model Gowshalas maintained by the District Board, Dera Ghazi Khan .. ..	609
Model Gowshalas maintained by Government .. ..	609
Mr. Claxton, Engineer, Dera Ghazi Khan .. ..	677-78
Newspapers and Court Notices .. ..	287
Perennial Canal in Dera Ghazi Khan .. ..	221
Reappointed retrenched employees .. ..	223
Retrenched employees of the Irrigation Department .. ..	223
Samundri Branch of Nala Dhingana, Dera Ghazi Khan district .. ..	237
Uncommanded areas at the tails of Lower Manka, Jharra and Islam Channels in Dera Ghazi Khan district .. ..	236
Upper Manka Canal .. ..	677

HARJAB SINGH, SARDAR—

Question re—

Begar from villagers .. ..	225
Opening a Government High School in tahsil Una .. ..	225
Punitive Police Post .. ..	224-25
Swan Hill Torrent .. ..	29

HET RAM, RAI SAHIB CHAUDHRI—

Question re—

Bhakra Dam Scheme .. ..	950
Emoluments to Zaildars and Lambardars .. ..	962
Increased supply of water for Hissar district .. ..	961
Intermediate College at Hissar .. ..	951
Odes in Hissar district .. ..	952
Recruitment from Hissar as Inspector or Deputy Superintendent of Police .. ..	952
Recruitment from Hissar for Executive and Judicial posts .. ..	952
Spreading of Education in Hissar district .. ..	951

QUESTIONS AND ANSWERS—  
—CONTINUED.

INDAR SINGH, SARDAR—

Question re dacoity committed in Mandhiali Kalan, district Gurdaspur .. ..

978

JOGINDAR SINGH MAN, SARDAR—

Question re—

Breach in the canal near village Goandhanwala .. ..	372
Loss to Crops in Gujranwala district, etc. .. ..	371
Loss to the rice crops in Sheikhupura district .. ..	373
Mandi at village Naushera Virkan .. ..	372
Road from Sheikhupura to Gujranwala .. ..	373

KABUL SINGH, MASTER—

Question re—

Absconders of 1914-15 conspiracy case .. ..	682
Additional Police Posts in district Jullundur .. ..	1000
Bomb in a field at Barapind, district Jullundur .. ..	997
Classification of Sardar Balwant Singh Dukhia in Jail .. ..	1072
Complaints against polling at Nawanshahr .. ..	37
Comrade Shiv Singh .. ..	12
Damage to crops .. ..	111
Dispensary building at Bilga, district Jullundur .. ..	681
Extensions to clerks in the Education Department .. ..	1115-16
Lahori Ram, Pandit Pardi .. ..	111-12
Motor licences for Una, Bharwain and Santokhgarh road .. ..	20
Mrs. Comrade Ram Chandra .. ..	20-21
Names of Political workers on the black list .. ..	681
Passport of Jagat Singh .. ..	680
Payment of Local Rate and Professional Tax by the inhabitants of village Lohar in Jullundur district .. ..	681-82
Prohibition .. ..	1097
Release of Andaman Prisoners .. ..	745

QUESTIONS AND ANSWERS  
—CONTD.

**KAPOOR SINGH, SARDAR—**

Question re—

Grant of Powers to Inspector and District Inspector of Schools by District Board, Ludhiana ..	679-80
Students admitted to Public Health School, Lahore ..	237
Waterlogging trouble in Nilon Kalan, Ludhiana district ..	239

**KARAMAT ALI, SHAIKH—**

Question re—

Provincialisation of the Posts of Secretaries, District Boards ..	1001
Percentage of Muslim Judges and Sub-Judges ..	1001
Ram Saran Das wards in Mayo Hospitals, Lahore ..	1001
Representation of Muslims in Public Health and Buildings and Roads Branch of Public Works Department ..	1001
Working of the Punjab Regulation of Accounts Act ..	1002

**KARTAR SINGH, CHAUDHRI—**

Question re—

Ajit Singh, Sardar ..	32
Ata Ullah of Ludhiana Bomb Case ..	402
A. Unit, Mr. S. P., and Register No. X ..	33
Babar Akalis ..	101-02
Bhagat Singh conspiracy case convicts ..	99
Bhagwan Singh, Sardar ..	34
Bhakra Dam Project ..	90-91
Communal Riots ..	299
Construction of a bridge over Swan Nadi ..	116
Comrade Gurmukh Singh ..	32
Cotton crops ..	86-87
Consolidation of Holdings ..	296
Criminal Tribes ..	33
Dalip Singh, Master, Babar Akali ..	297
Damage to crops ..	85-86
Drinking water for Zail Kharri ..	300
Grass cutting in Katar-dhar ..	89
Gurdaspur Conspiracy Case convicts ..	99-100
Hazara Singh, Babar Akali Holding of different posts by Mir Maqbool Mahmood, M. L. A. ..	117-18
Intermediate Arts College at Montgomery ..	30

QUESTIONS AND ANSWERS—  
CONTD.

**KARTAR SINGH, CHAUDHRI—**  
*concluded.*

Question re—

Internment of Sardar Tehl Singh ..	403
Jail visitors ..	30
Keeping of milch animals by the officials of Criminal Tribes Department ..	741-42
Kundan Lal, prisoner ..	117
Mangal Sain, Mr. of Kanari Bazar Case ..	402
Political prisoners ..	31
Punitive Police Post at Mandi Baha-ud-Din ..	298
Ratan Singh, Sardar Babar Akali ..	87-89
Road between Okara and Jaranwala ..	32
Roshan Din, Sub-Inspector, Police ..	103-04
Sachindra Nath Sanyal, Mr., and Manmoh Nath Gupta, Mr. ..	30
Sayadwala in Lyallpur district ..	32-33
Scarcity of drinking water in village Bhatoli, district Kangra ..	591
Scheme for supplying drinking water for Hoshiarpur district ..	116
Separate cells for terrorist prisoners ..	116-17
Second Conspiracy Case convicts ..	100-01
Stenographers in the office of the Deputy Commissioner, Lahore ..	118
Sub-Inspectors and head constables ..	104-08
Sub-soil water level in Jullundur and Hoshiarpur districts ..	103
Subscription for rural uplift work ..	102-03
Tax on goats ..	591
Rajbah Shahkot ..	27

**KISHEN DASS, SETH—**

Question re—

**Achhuts—**

In Co-operative Department ..	564-65
In the Provincial Civil Service ..	508
In the Irrigation and Revenue Departments ..	506
In Electricity Branch ..	564
In Industries Department ..	564
In Public Health Department ..	563

QUESTIONS AND ANSWERS—  
CONTD—

KISHEN Dass SETH—concluded.

Question re—

Achhuts—

And Ferries of River Beas	565
In the Public Works Department ..	509
In Forest Department ..	509
In offices under the High Court ..	509
In Punjab Civil Secretary ..	509
In Revenue Department	510
In the Government Information Bureau ..	510
In Punjab Government Printing ..	511
In Rural Reconstruction Department ..	511
In Financial Commissioners' Office ..	512
In the Office of Director of Land Records ..	512
In Buildings and Roads Branch ..	512
In Excise Department ..	513
In Education Department	513
District Board Hoshiarpur and the depressed classes	502
Cho in the Hoshiarpur district ..	506
District Boards, Hoshiarpur and Jullundur and the Achhuts ..	508
Government Schools in Jullundur division and the Achhuts ..	507
Government officers and Achhuts ..	503
Graveyard of depressed classes in Mahalpur ..	502
Milk for children and Municipal Committees of Jullundur and Hoshiarpur	504
Motor Traffic on Hoshiarpur-Tanda Road ..	505
Municipal Committee, Jullundur and the depressed classes ..	503
Panchayats and the Achhuts ..	507
Remissions of Taqavi loans to Achhuts ..	505
Share of Achhuts in the village Shamlat ..	504
Scholarships for Achhut students ..	504
Unemployment ..	506
Unemployment among Achhuts ..	505

QUESTIONS AND ANSWERS—  
CONTD.

LAL SINGH, SARDAR—

Question re—

Agency to detect cases of corruption against Police	587
Complaints of corruption against Police ..	587-89
Complaints in Court of 1st Class Magistrate at Ludhiana ..	741
Contribution for Radio Station at Delhi ..	587
Military Pensioners ..	588
Remission of Revenue for Rabi crops damaged by hail-storm ..	850
Rendition of accounts of Malba to villagers of Saya Kalan ..	851
Representation of Sikhs in the office of the Deputy Commissioner, Ludhiana ..	19
Restoration of pensions of the Military pensioners	849-50
Return of property of Bhai Sahib Bhai Randhir Singh ..	586
Roads in Thana Shiana in Ludhiana district ..	589
Sikhs in Deputy Commissioners' office, Ludhiana	590
MAQBOOL MAHMOOD, MBE—	
Question re Municipal Committee Elections in Amritsar ..	322
MAZHAR ALI AZHAR, MAULVI—	
Question re—	
Lorry stand in Amritsar ..	7
Motor accidents ..	6
Nazul Lands in village Bhabra in Lahore district ..	476
MOHY-UD-DIN LAL BADSHAH, PIR—	
Question re Middle School for boys and girls in Makhad	19-20
MUBARAK ALI SHAH, SAYED—	
Question re—	
Acquisition of land for Haveli Project ..	25
Appointment of clerks for civil courts at Sargodha and Jhang ..	996
Circle Establishment of the Haveli Project ..	893
Compensation for the land acquired for the Haveli Project ..	943-44
Contractors of the Haveli Project ..	893-94
Cotton crop in the Province ..	944

QUESTIONS AND ANSWERS—  
CONTD.MUBARRIK ALI SHAH, SAYED—  
*concl'd.*

## Question re—

District and Sessions  
Judges posted to Sar-  
godha .. .. 986Government servants  
drawing Rs. 200 or above  
monthly in the Haveli  
Project .. .. 895Meetings of the Selection  
Board, Western Range.. 996-97Number of persons em-  
ployed in connection  
with the Haveli Project .. 894Official Receiver at Jhang  
Recruitment of Engineer-  
ing Staff for Haveli  
Project .. .. 3-4Representations from the  
zamindars of Jhang dis-  
trict for grant of land .. 945Shopkeepers in the Head-  
work colony area of the  
Haveli Project .. .. 943Villages in Schedules A  
and B in district Jhang .. 944-45MUHAMMAD ABDUL RAHMAN  
KHAN, CHAUDHRI—

## Question re —

Maclagan Engineering Col-  
lege, Moghalpura .. .. 791-92Notified area at Mandi  
Beha-ud-din .. .. 663Prisoners in the Anda-  
mans .. .. 17Workshop Superintendent  
of Maclagan Engineering  
College, Moghalpura .. 792—94MUHAMMAD AKBAR KHAN,  
KHAN BAHADUR RAJA—Question re Application of  
Cantonments Act to villages  
Saila and Idgah in Jhelum  
district .. .. 998-99MUHAMMAD HASSAN KHAN  
GURCHANI, KHAN BAHADUR  
SABDAR—

## Question re —

A branch canal for irrigat-  
ing Rakh Ghauspur,  
Kanwala, etc. .. .. 801Cattle grazing tax in  
Dhundhi estate .. .. 700Dajal water supply scheme  
Damage to crops in ilaqa  
Pachad, Dera Ghazi  
Khan .. .. 701Kashmore — Dera Ghazi  
Khan road .. .. 701Protection of Northern  
Parts of Dera Ghazi  
Khan against tribal  
raids .. .. 700QUESTIONS AND ANSWERS—  
CONTD.MUHAMMAD HASSAN KHAN  
GURCHANI, KHAN BAHADUR  
SABDAR—

## Question re—

Stallions in district of Dera  
Ghazi Khan .. .. 701

MUHAMMAD HASAN, CHAUDHRI

## Question re—

Ansaries .. .. 41

Annual income of District  
Board, Ludhiana .. .. 230Appointments made by  
the present Chairman,  
District Board, Ludhi-  
ana .. .. 231Appreciation of the ser-  
vices of Lala Naubat Rai  
Sahni by the District  
Board, Ludhiana .. .. 227-28Application for loans from  
the Industries Depart-  
ment .. .. 113Average income of a land-  
holder in Beit ilaqa,  
Ludhiana .. .. 748Cattle breeding in Ludhi-  
ana district .. .. 115-16Changars and Ghandilas in  
Ludhiana district .. .. 499Criminal Tribes in Ludhi-  
ana .. .. 498Criminal work done by  
Revenue officers in Lu-  
dhiana district .. .. 749Dairy farming in Ludhi-  
ana district .. .. 113

Debat Sudhar .. .. 747-48

District Inspector Hari Pal  
as Inspector, Police Lines  
at Ludhiana .. .. 479Encouragement of cottage  
industries .. .. 112-13Executive Officer, Ludhiana  
Municipal Committee .. .. 370Fairs and exhibitions in  
Ludhiana and Jullundur  
Government Agricultural  
Farm, Jullundur .. .. 114

Jail visitors .. .. 320

Khanna Municipal Com-  
mittee .. .. 751Lambardar Uttam Singh  
Land grants to people in  
Ludhiana district .. .. 395List of candidates in the  
Deputy Commissioner's  
Office, Ludhiana .. .. 748Maintenance of gardens by  
District Board, Ludhi-  
ana .. .. 109—11Maintenance of gardens by  
District Board, Ludhi-  
ana .. .. 232Municipal Committee,  
Rai Kot .. .. 499-500Nominations to District  
Board, Ludhiana .. .. 370

PAGES.	PAGES.
<b>QUESTIONS AND ANSWERS—</b> CONTD.	<b>QUESTIONS AND ANSWERS—</b> CONTD.
<b>MUHAMMAD HASAN, CHAUDHRI—</b> concld.	<b>MUHAMMAD IFTIKHAR-UD-DIN,</b> <b>MIAN—concld.</b>
Question re—concld.	Question re—
Notified Agricultural Tribes and Sainis and Harnis .. 479	Police Band .. 519 Police Band in Lahore .. 607
Number of cases decided by Magistrates in Ludhi- ana district .. 749-50	Right of vote to women in Simla Municipal Commit- tee .. 23-4
Officer of the Industrial Department at Ludhiana .. 114	Sardar Tehl Singh, a Politi- tical worker of village Bhangali .. 1902
Political Prisoners .. 320	Simla Municipal Com- mittee .. 23
Political Prisoners .. 361	Tan rider along the canal Bank in Lahore .. 607
Punitive Police Posts in Ludhiana district .. 750	
Rakh roads .. 227	
Roads in Luddhiana dis- trict .. 236	
Roads repaired by District Board, Ludhiana .. 232-35	<b>MUHAMMAD SARFRAZ KHAN,</b> <b>CHAUDHRI—</b>
Samrala Small Town Com- mittee .. 751-52	Question re Assistant Superin- dents, Jails .. 39-40
Sources of income, etc., of Jagraon Municipality .. 229	<b>MUHAMMAD YASIN KHAN,</b> <b>CHAUDHRI—</b>
Subordinate Government servants working as motor drivers to their officers .. 397	Question re —
Sub-Inspectors in Ludhiana District .. 314	Abiana Rates in Gurgaon and Rohtak districts .. 1090-93
Swimming tank in the Rakh Lands .. 233	Annual Inspection of Schools at Shahjahanpur and Chandpur on Jumat- ul-wida-Day .. 986
Veterinary Hospitals open- ed by District Board, Ludhiana .. 229-30	Drainage scheme for Hi- dayatpur Chhaoni in Gurgaon district .. 1096
<b>MUHAMMAD HUSAIN, CHAU-</b> <b>DHRI—</b>	Reports of the Resources and Retrenchment and Unemployment Commit- tee .. 1094-95
Question re Assistant Pro- fessor, Punjab Veterinary College .. 85	Representation of Agricul- tural Tribes in the Police Force, Gurgaon .. 1094
<b>MUHAMMAD HUSAIN, SARDAR—</b> Question re —	Scheme for supply of drink- ing water to some villages in Gurgaon district .. 1095-96
Absence of bridges on drains near Dipalpur Canal .. 95-6	<b>MUHAMMAD YUSAF KHAN,</b> <b>KHAN—</b>
Elections to District Boards and communal represen- tation .. 29-30	Question re —
Small land owners .. 95	Emoluments of Zaildars and Inamkhvras .. 192-93
Water-tax for waterlog- ged area in Chunian tahsil .. 23	Mortgages of agricultural land in Rawalpindi dis- trict .. 999-1000
<b>MUHAMMAD IFTIKHAR-UD-DIN,</b> <b>MIAN—</b>	Prosecuting Superinten- dents, etc., of Police .. 191-92
Question re—	<b>MUNI LAL KALIA, PANDIT—</b>
Costs of additional Police Post located at villages Cheema, Asal Autar and others .. 516	Question re Sardar Gurbakhsh Singh, Municipal Commis- sioner, Ludhiana .. 1084
Costs of additional Police Post located at villages Rajoke and Wan .. 783-84	<b>MUZAFFAR ALI KHAN, QAZIL-</b> <b>BASH, SARDAR—</b>
Gazetted officers posted to their Home districts .. 519	Question re resettlement of Lahore district .. 22
Official and Court adver- tisements .. 24-5	<b>NASIR-UD-DIN, CHAUDHRI—</b>
	Question re decree passed on agricultural land by Sub- ordinate Judge, Gujrat .. 781

	PAGES
<b>QUESTIONS AND ANSWERS—</b> <b>CONTD.</b>	
<b>NAUNihal SINGH MAN, LIEU-</b> <b>TENANT SARDAR—</b>	
Question re—	
Damage to Paddy crop in	
Sheikhupura and Gujran-	
wala districts ..	609
Remission in land revenue	
and abiana in Sheikhu-	
pura and Nanakana	
Tahsils ..	609-10
Torture by Police of Hazara	
Singh, a dacoit ..	698
<b>PARTAB SINGH, SARDAR—</b>	
Question re—	
Abolition of Malba in the	
New Settlement of Amrit-	
sar district ..	989
Absconders shot dead by	
the Police in Amritsar dis-	
trict ..	992
Canal Road of Rajbah Tarn	
Taran ..	992
Compensation to zamindars	
for the earth dug out from	
their fields for repairing	
Canal Banks ..	989—92
Damage by Hailstorm in	
Nowahera Pannan, etc., in	
Tarn Taran tahsil ..	883
Devastation by floods of the	
lands in Kambe Dhahawal	
in Amritsar district ..	884
European Political Pri-	
soners ..	882-83
Establishment of offices	
under Director of Public	
Instruction, Punjab ..	88-89
Failure of maize, sugarcane	
and cotton crops in Jul-	
lundur district ..	988
Hunger strike by a 1915-16	
Punjab Conspiracy Case	
Prisoner ..	800-01
Irrigation pumps round Am-	
ritsar city ..	945
Jethowal Distributary ..	945-46
Kisan organisations ..	988
Panjotra ..	989
Premier's speech at Jalalpur	
Kiknan ..	987
Political Prisoners ..	882
Remission on account of	
damage by Hailstorm in	
Amritsar district ..	883
Rotational Programme of	
Upper Bari Doab Canal ..	947
Sardar Gurmukh Singh ..	884
Sardar Teja Singh Swatantra	
Sardar Chanan Singh ..	884-85
Water level in wells in Jul-	
lundur and Hoshiarpur dis-	
tricts ..	987-88

	PAGES.
<b>QUESTIONS AND ANSWERS—</b> <b>CONTD.</b>	
<b>PREM SINGH, CHAUDHRI—</b>	
Question re—	
Punishment for exacting Be-	
gar ..	619
Public wells and Harijans ..	619
Steps for uplifting the back-	
ward classes ..	69
<b>PREM SINGH, MAHANT—</b>	
Question re Zaildars in Gov-	
ernment Service ..	41-2
<b>RAGHIB KAUR, SHRIMATI—</b>	
Question re—	
Allowance to the members of	
the family of S. Chanan	
Singh, State prisoner ..	6
Convicts sentenced to trans-	
portation for life ..	134
Damage to crops in Amritsar	
district ..	226
Deputation of Retrenched	
Labourers of Dhariwal	
Woolen Mills ..	1097-98
Harsh treatment by Police	
to Sardar Harbans Singh	
and other political suspects	
in Lahore Fort ..	7
Honourable Finance Minis-	
ter's visit to Lahore Central	
Jail ..	134
Kirti Newspaper ..	565-66
Sending of Gurmukh Singh	
to Andamans ..	9—11
Workers in factories at	
Ludhiana ..	17
Waterlogging in Sheikhupura	
district and payment of	
Government dues ..	888
<b>RAI, MR. C.—</b>	
Question re—	
Cerebral Meningitis in	
Sialkot Jail ..	992-98
Haisiyat tax in Amritsar and	
Sialkot districts ..	785
Right of vote for Dooms of	
Gurdaspur district ..	785
Small Town Committee,	
Zafarwal ..	890
<b>RAM NABAIN VIRMANI, SETH—</b>	
Question re—	
Age limit ..	37
Deputy Commissioner, Jhang	
and candidates for naib-	
tahsildarship ..	661
Deputy Commissioner's	
Office, Jhang ..	660—62
Excise Inspectors and Sub-	
Inspectors ..	873
Killa Gift Fund ..	22
Municipal Committee, Lyall-	
pur ..	781-82,
	658—60

QUESTIONS AND ANSWERS—  
CONTD.RAM NARAIN VARMA, SETH—*concl'd.*

## Question re—

Municipal Committee, Lyallpur .. 656

Non-agriculturist Hindu Naib-Tahsildars taken from the Ambala Division .. 872

Non-Muslim Representation in Punjab Government and Jail Presses .. 874-76

Overseers .. 36

Patwaris and Girdawar-Qanungos in district Jhang .. 662

Retrenched Officers of the Irrigation Branch .. 872-73

Retrenchment of employees of Local Bodies .. 877

Resolution passed by the Lyallpur Municipal Committee .. 657

Reconsidering release of Hans Raj "Wireless" .. 761-62

Sub-Divisional Officers in the Irrigation Branch of the Public Works Department .. 872

RANPAT SINGH, CHAUDHRI—

## Question re—

Arrest of agriculturist debtors in Karnal district .. 803

Hindu agriculturists for the posts of Patwaris and Kanungos, etc. .. 802

Inspectors of Co-operative Societies belonging to Kaithal .. 802

Junior and Senior Vernacular Classes in Vernacular Middle Schools in Karnal district .. 803

Pay of Sufaidposhes in the Punjab .. 803

Refund of Pachotra in Kaithal tahsil .. 802

RASHIDA LATIF BAJI, BEGUM—

## Question re—

Compensation to persons required to leave portions of their sites for Roads by Lahore Improvement Trust .. 1114-15

Installing water metres in Lahore city .. 1114

RUB SINGH, SARDAR—

## Question re—

Damage to crops in Ferozepore district .. 17-18

Irrigation facilities for Zail Kokari Kalan .. 404

Forfeiture of security from Kirti Akhtar .. 5-6

Grant of relief to peasants of tahsil Tarn Taran .. 8

Moga Girls' High School .. 403

Hunger-strike of Comrade Gurmukh Singh .. 1085-86

PAGES.

QUESTIONS AND ANSWERS—  
CONTD.RUB SINGH, SARDAR—*concl'd.*

## Question re—

Anglo-Vernacular Middle School, Badni Kalan .. 403

SAHIB DAD KHAN, KHAN SAHIB CHAUDHRI—

## Question re—

Canal water for tanks in Hissar district .. 679

Cattle robbery near village Kishangarh .. 398

Communal representation in Clerical Staff, Hissar .. 399

Definition of 'Court' .. 756

Deva Singh, Lamabardar, and the Adjournment Motion re Police Raid on Kathanian .. 323

Elected President for Municipal Committee, Panipat .. 752-54

English Teaching in Hissar District Board Schools .. 400

Mosque in village Rakhi, Shahpur district .. 193-94

Officers in Hissar district .. 399

Process-servers and Madad Sheriffs in district Hissar .. 759-60

Quraishis in Hissar district .. 400

Rajbaha Narnsund in Hansi tahsil .. 765

Restrictions on some people of village Nigana .. 399

Recruitment of Clerical Staff by the District Judge, Hissar .. 400

Saraswati Canal in Kaithal tahsil .. 755

Senior Sub-Judges, Hissar .. 760

Teachers in District Board Schools in Hissar district .. 756

Vegetable Ghee .. 755-56

Women's Christian Medical College, Ludhiana .. 756-59

SAMPURAN SINGH, SARDAR—

## Question re—

District Boards and Educational Institutions .. 787

Kallar and Thur in Sheikhupura district .. 786

Multiplicity of adjournment motions .. 333

Remodelling of outlets in Lyallpur district .. 786

Subsidising Punjab University Union .. 785-86

SANTOKH SINGH, SARDAR SAHIB

## SARDAR—

Question re Municipal Elections Officer .. 2-3

SANT RAM SETH, DR.—

Question re Additional Police Post.—Costs recovered from village Sur Singh .. 235

Additional Police Post and refund of sale-proceeds of two horses .. 326

PAGES.

# QUESTIONS AND ANSWERS— CONTD.

SANT RAM SETH, DR.—*conld.*

## Question re—

Additional Police Post at village Vehgal ..	676-77
Additional Police Post at village Sur Singh, tahsil Kasur ..	760
Additional Police Post at Kathebi Khurd ..	426
Additional Police Post at village Sur Singh ..	418
Additional Police Posts at villages Burewala and Mar Balochan ..	136-37
Additional Police Posts in Ferozepore district ..	138
Additional Police Posts in Hoshiarpur district ..	139-41
Amount waived off out of the cost of Additional Police Posts in Lahore district ..	142
Arrears of costs of Additional Police Posts in District Ferozepore ..	137
Arrest of Dullu for Revenue arrears ..	514
Bridge near Manhola Canal Bungalow ..	135
Cognizable offences registered by Police Station, Beas ..	514
Collection of revenue and abiana by the headmen of Turf Fattu of village Gharyala ..	676
Copying fees ..	216-18
Cost of Additional Police Post at village Sur Singh ..	329, 330, 331.
Cost of Additional Police Post at Harse Chinnu ..	325
Cost of Additional Police Post at villages Cheema and Dubli ..	674-75
Costs of Additional Police Post at villages Manga and Therra ..	672-73
Cost of the Additional Police Post at village Jahman ..	671-72
Cost of Additional Police Post at Narli ..	761
Costs of Additional Police Post at village Dhardev ..	418
Costs of Additional Police Posts at villages Mudki, Karor, etc. ..	419
Costs of Additional Police Post at village Narwar ..	134-35
Costs of Additional Police Post at village Hardeo Sahari ..	135-36
Costs of Punitive Police at villages Dall, Daluri, etc. ..	671
Election of village Panchayat of Pohuwind, tahsil Kasur ..	673

## PAGES.

# QUESTIONS AND ANSWERS— CONTD.

SANT RAM SETH, DR.—*conld.*

## Question re—

Grievances of Zamindars of village Sur Singh regarding Jagatpura Minor Head ..	425
Gauge Readers in Upper Bari Doab Canal ..	420
Gauge Readers ..	425
House search in village Katluhi, district Lahore ..	674
Lahore District Board Constituencies ..	516
Mobile Police Force, Ferozepore district ..	420
Outlet No. R. D. 41,888 Basarki Distributary ..	235
Police Roznamcha ..	673-74
Police Post costs recovered from village Dhardev ..	137-38
Punitive Police Post at Jahman ..	514
Punitive Police Post at Sahari Hardeo ..	516
Punitive Police Post at Dhardeo ..	515
Petition from the Zamindars of village Amir Shah ..	219-20
Representation from village Makhi Khurd ..	234-35
Refund in favour of village Sabrai ..	233-34
Reserve Police Post Force, Amritsar ..	327
Realization of Taqavi from village Ghawindi, tahsil Lahore ..	325
Recoveries on account of Additional Police Post at village Jahman ..	675
Refund of the cost of Punitive Police Post, Bhikhiwind ..	330
Refund of the cost of Additional Police Post quartered at village Jahman ..	672
Rules regarding Additional Police Posts, calculations and recoveries ..	234
Scale of pay of Gange Readers ..	425
Working of the Additional Police Post at Dhardeo ..	426
Withdrawal of Additional Police Post from village Dhardev ..	325
Warrants of arrest and attachment ..	329
SHAHADAT KHAN, KHAN SAHIB RAI—	
Question re—	
Grants of land to Tirni payers of Baraghar and Sayadwala Thanas ..	958-59
Inflammatory pamphlets like the Rangila Tehwar and Shahadat ..	976
Tirni payers' list ..	959
Waterlogging in Lyallpur ..	...

## PAGES.

QUESTIONS AND ANSWERS—  
CONTD.—

SHAM LAL, RAI BAHADUR CHAUDHRI—

Question re—

Areas in the neighbourhood of  
Sitpur in Muzaffargarh district .. 869Area of land in Leiah tahsil  
which will become culturable under the Haveli Project .. 869Arrangements for dealing with  
Maternity cases in Dera  
Ghazi Khan district .. 867Communications in Dera  
Ghazi Khan district .. 866Drinking water facilities for  
Dajal in Dera Ghazi Khan  
district .. 865Hospitals and dispensaries in  
Dera Ghazi Khan district .. 867Means of communications in  
Dera Ghazi Khan district .. 866Protection of Rojhan against  
river action .. 868Transshipment of goods at  
Mithankote in Dera Ghazi  
Khan district .. 866Waterlogged area near  
Jampur .. 868Water-supply for irrigation of  
private agricultural holdings  
in the neighbourhood of  
Dhundi Estate .. 864

SHRI RAM SHARMA, PANDIT—

Question re —

Aheris of Rohtak district .. 195-96

Aid to Primary Schools and  
Elementary Schools .. 581

Ballabgarh Political Conference .. 303

Beggars in the Punjab .. 318

Bribe to Wasal Baqi Nawis  
and the treasurer .. 579

Canal Patwaris .. 598

Charge of embezzlement  
against Mir Dad Khan .. 763-64Closure of outlets on the  
Bhiwani Branch .. 318Commanded and Uncommanded  
area on Balamba  
Minor, District Rohtak .. 316Complaint by Lala Deep  
Chand .. 763Complaints against Sub-  
Inspector of Police, Sachawas .. 194-95Complaint by zamindars of  
village Nadana .. 576Contractors of the Public  
Works Department, Buildings  
and Roads Branch .. 319Convicts in Second Lahore  
Conspiracy Case .. 740-41

Corruption and Begar .. 378

Cycling on Lahore Canal  
Road .. 199QUESTIONS AND ANSWERS—  
CONTD.SHRI RAM SHARMA, PANDIT—  
contd.

Question re —

District Engineer, District  
Board, Hissar .. 309District Board, Rohtak, and  
its elections .. 196-97District Engineers, District  
Board, Hissar .. 197-98Forced labour from Chawkidars  
in Southern Districts .. 579-80Gaur Brahmans in Rohtak,  
Karnal, etc., not declared  
as Agriculturists .. 577Grant-in-aid for Patsbala,  
Poonahana, district Gurgaon .. 765Grievances of Zamindars not  
receiving canal water .. 390

Honorary Bench at Gohana .. 380

Lambardars Uttam Singh and  
Ujagar Singh .. 574-75Lift irrigation for eastern  
districts .. 598Loans by Co-operative Banks  
in Rohtak, Gurgaon, Hissar  
and Karnal districts .. 378

Measures against drinking .. 317

Murders in Rohtak, Hissar,  
Gurgaon and Karnal districts .. 375

Municipal Elections, Faridabad .. 308

Nathan Singh, Jat of village  
Banchari .. 304Partap, son of Murari of  
Delhi .. 306Patwaris from Depressed  
classes .. 379President, Small Town Committee,  
Gurgaon .. 318President, Small Town Committee,  
Budhlada .. 574Purchase of Road Tar by  
Municipalities in Hissar  
district .. 199Sheikh Rahmat Ilahi and  
Municipal Committee, Rupa .. 311Rao Mangli Ram, President  
Municipal Committee, Jhajjar .. 765Reduction of Abiana in  
village Bhain (Gurgaon) .. 34Representation by the inhabitants  
of Sochan Mandi, District Hissar .. 577-78Resignations of lambardars  
of village Gannaur .. 575Sayad Muttalabi, President  
of Faridabad Municipal  
Committee .. 319Secretary, Municipal Committee,  
Ballabgarh .. 597Secretary, Municipal Committee,  
Ballabgarh .. 306

QUESTIONS AND ANSWERS—  
CONTD.

PAGES.

SRBI RAM SHARMA, PANDIT—  
concl'd.

Question re —

Sharafat Husain, Head Con-  
stable .. 764Siri Chand, Chaudhri, Advo-  
cate, Rohtak .. 303Slaughtering of pregnant  
sheep .. 380Stopping of Lala Mutsadi Lal  
by Police .. 21Sugarcane crop in Rohtak,  
Gurgaon, Hissar and Kar-  
nal districts .. 791Summer vacation for High  
School, Municipal Com-  
mittee, Beri .. 391Superintendent, Deputy  
Commissioner's Office,  
Rohtak .. 305

Tahsildar of Nuh (Gurgaon) .. 312

Tawan for filling up a  
village pond .. 317Travelling allowances paid to  
various Ministers .. 738-40Unrecognized Girls' School,  
Tohana .. 318

Vaccinators .. 197

Water rates on Agra Jumna  
Canal .. 580Widow of Dr. Ram Gopal,  
Veterinary Assistant,  
Narnaund .. 581

SOHAN SINGH JOSHI, SARDAR—

Question re —

Elections to Local Bodies  
under joint and separate  
electorates .. 891Police Chowkies in the  
Amritsar district .. 892Reconstitution of superseded  
Municipalities .. 891Searches, Arrests and Ex-  
terminations in the Punjab .. 1089Training centres for Dais  
in Rural Areas .. 892SULTAN MAHMUD HOTIANA,  
MIAN—

Question re—

Grant of Land to Riverains  
of River Sutlej .. 497

High School for Sujampur .. 498

Pakpattan Hospital .. 497

Police Station, Maluka .. 496

Rates of Malikana .. 495

Tarnali Road in Montgomery  
district .. 496

SUMER SINGH, CHAUDHRI—

Question re—

Representation of Hindu  
Zamindars in the Punjab .. 1096-97

University Examiners .. 218-19

Road Inspectors .. 218-19

TARA SINGH, SARDAR—

Question re—

Failure of Cotton Crop in  
Ferozepore district .. 215QUESTIONS AND ANSWERS—  
CONCLD.

PAGES.

TARA SINGH, SARDAR—concl'd.

Question re —

Public Works Department  
Contractors for Roads and  
Buildings .. 478Remission of land revenue in  
Ferozepore district .. 215Representation of Sikhs in  
Services .. 40Rural Debt Conciliation  
Board, Ambala Division .. 40Suspension and remission of  
land revenue in Hissar dis-  
trict .. 40

R

RABI CROPS—

Question re Remission of revenue  
for — damaged by Hailstorm .. 350

RADIO STATION—

Question re contribution for —  
at Delhi .. 587

RAGHBER KAUR, SHRIMATI—

Adjournment motion re—  
Police raid in village Katani .. 176-78Strike by owners and drivers of  
motor taxis .. 354-55Resolution re conduct of proces-  
sionists at Lahore .. 1052-53

RAHMAT ILAHI—

Question re Shaikh — and Muni-  
cipal Committee, Rupar .. 311

RAILWAY CONCESSIONS—

Question re — for the Hosiery  
Factories at Ludhiana .. 1119

RAILWAY ROAD—

Question re Liquor shop on —  
Amritsar .. 962

RAJA JANG—

Question re calling of Azan by  
Muslims of — .. 994-95

RAJBABA—

Question re — Narnaund in Hansi  
tahsil .. 755

RAJBAN SHAH KOT—

Question re — .. 27

RAJOKE—

Question re costs of additional  
police post at village — and  
Wan .. 783-84

RAKH CHARAGAH—

Question re extension of irrigation  
to — Bhera .. 761

RAKH LANDS—

Question re swimming tank in  
the — .. 283

RAKH ROAD—

Question re — .. 227

RANGAER—

Question re — Jagadhri road .. 654

RANGAER-JAGADHRI ROAD—

Question re — in Ambala district .. 654

RAM GOPAL, DR.—

Question re widow of —, Veteri-  
nary Assistant, Narnaund .. 581

	PAGES.		PAGES.
<b>RAM LAL, DIWAN—</b>		<b>RECRUITMENT—<i>concl'd.</i></b>	
Also See Advocate-General .. ..		Question re—	
Rules of Procedure—		From Hissar as Inspector or	
Language of the Assembly— ..	1142—44	Deputy Superintendent of	
No confidence motion against		Police .. ..	952
Ministry .. ..	914	In connection with the Haveli	
Quorum .. ..	1128	Project .. ..	894
<b>RAM SARAN DAS WARDS—</b>		<b>REDUCTION—</b>	
Question re — of Mayo Hospital,		Question re instructions for —	
Lahore .. ..	1001	in the number of Indian Medical	
<b>RAM SARUP, CHAUDHRI—</b>		Service Officers, in the Punjab. ..	855—57
Rules of Procedure. Questions,		<b>REDUCTION OF ASIANA—</b>	
subject matter of .. ..	162-63	Question re — in village Bhain	
<b>RANDHIR SINGH, BHAI—</b>		(Gurgaon) .. ..	34
Question re return of property of		<b>REFUSAL—</b>	
Bhai Sahib .. ..	596	Question re — of permission to	
<b>RANGILA TEHWAR—</b>		Gyani Ram Singh to interview	
Question re inflammatory pamph-		Sardar Balwant Singh .. ..	407
lets like — and Shahadat .. ..	976	<b>REFUND—</b>	
<b>RASHIDA LATIF BAJI, BEGUM—</b>		Question re—	
Rules of Procedure. Language		Of securities to newspapers .. ..	682
of the Assembly .. ..	1147-48	In favour of village Sabrai .. ..	233-34
<b>RATAN SINGH—</b>		Claimed by inhabitants of vil-	
Question re —, Babar Akali .. ..	87—89	lage Sohana, district Ambala ..	655-56
<b>RATES OF WAGES—</b>		Additional Police Post and —	
Bill. Fixation of minimum —,		of sale-proceeds of two horses ..	326
The Punjab .. ..	719—22	Of the cost of Additional Police	
<b>RAVI-BRAS LINK SCHEME—</b>		Post quartered at village	
Question re Representation re-		Jahman .. ..	672
garding — .. ..	1074	Of the cost of Punitive Police	
<b>RAWALPINDI CANTONMENT—</b>		Post, Bhukhiwind .. ..	330
Question re water tax on uncon-		<b>REGISTER X—</b>	
connected shops and godowns		Question re Political Workers in	
in — .. ..	1082	Hoshiarpur district in — .. ..	410
<b>RAWALPINDI DISTRICT BOARD—</b>		<b>REGRET—</b>	
Question re elections to — .. ..	888-89	Muhammad Abdul Rahman,	
<b>RECONSTITUTION—</b>		Chaudhri, — by, for certain	
Question re — of superseded		offensive remarks .. ..	1002
municipalities .. ..	891	<b>REINSTATEMENT—</b>	
<b>RECORDS—</b>		Question re — of six teachers of	
Question re bye-laws for the in-		Pind Dadan Khan Municipal	
spection of — of Municipal		Committee .. ..	1112
Committee, Ladhiana .. ..	881	<b>RELEASE—</b>	
<b>RECOVERIES—</b>		Allotment of time for discussion	
Question re—		of behaviour of processionists	
Rules regarding Additional		in connection with — of hunger-	
Police Posts calculations		strike prisoners .. ..	896
and — .. ..	234	Question re—	
On account of additional Police		Of Babar Akali Prisoners, etc. ..	407
Post at village Jahman .. ..	675	Of Kalicharan and Amar Nath,	
<b>RECOMMENDATIONS—</b>		Prisoners .. ..	698
Question re — of the Rural Con-		Of Andaman Prisoners .. ..	745
ference held at Ambala .. ..	368-69	Reconsidering of — of Hans	
<b>RECRUITMENT—</b>		Raj, "Wireless" .. ..	761-62
Question re—		Resolution re — of hunger strike	
For Provincial and subordinate		prisoners .. ..	915—40
services of Police and Judicial		<b>RELIEF—</b>	
departments .. ..	696	Question re grant of — to peasants	
Of Engineering Staff for Haveli		of tahsil Tarn Taran .. ..	8
Project .. ..	3-4	<b>RELIEF TO PEASANTS—</b>	
Of clerical staff by District		Adjournment Motion re—	
Judge, Hissar .. ..	400	Of certain villages in tahsil	
From Hissar for Executive and		Tarn Taran .. ..	259—81
Judicial posts .. ..	952	Of certain villages in tahsil	
Preference to retrenched ser-		Tarn Taran .. ..	144—46
vants in new — .. ..	691-92		
Of Sikhs as Police Constables ..	96-97		
Of District Medical Officers .. ..	98		

PAGES.		PAGES.
	<b>REMARKS—</b>	
	Muhammad Abdul Rahman Khan, Chaudhri —, regret by, for certain offensive — .. ..	1002
	<b>REMISSION—</b>	
	Question re—	
	In Government dues in Montgomery district regarding sliding scale .. ..	956-57
	In land revenue and abiana in Montgomery district .. ..	957
	In land revenue and abiana in Sheikhpura and Nankana tahsils .. ..	609-10
	Of land revenue in Ferozepore district .. ..	215
	On account of damage by hailstorm in Amritsar district .. ..	883
	Of revenue for rabi crops damaged by hailstorm .. ..	850
	Suspension and — of land revenue in Hissar district .. ..	40
	To Babar Akali and Conspiracy Cases prisoners .. ..	390
	<b>REMOVAL OF BEGGARY—</b>	
	Bill, The Punjab — .. ..	714, 722-27
	<b>REMUNERATION—</b>	
	Question re Rules governing the work and— of the Parliamentary Private Secretaries .. ..	972
	<b>RENDITION OF (ACCOUNTS)—</b>	
	Question re — of Malba to villagers of Sava Kalan .. ..	851
	<b>RENT CHARGES—</b>	
	Question re Medical Officers' share of the — and fee charges from out-door patients .. ..	853
	<b>REPRESENTATIONS—</b>	
	Question re — from the zamindars of district Jhang for grant of land .. ..	945
	<b>REPORT—</b>	
	Question re — of Inspector of Local Bodies .. ..	1110
	<b>REPORTS OF PROCEEDINGS OF PUBLIC MEETINGS—</b>	
	Question re — in the Punjab .. ..	13-14
	<b>REPRESENTATION OF SIKHS—</b>	
	Question re — in Services .. ..	40
	<b>REPRESENTATIONS—</b>	
	Question re—	
	Against the Additional Police, village Sahungra .. ..	602
	Sikh—in Deputy Commissioners' and Commissioners' offices in the Punjab .. ..	2
	From village Makhi Khurd .. ..	234-35
	Of Agricultural Tribes in Police Force, Gurgaon .. ..	1094
	By the Central Asian Traders and Charas Dealers Association, Hoshiarpur .. ..	960
	By the inhabitants of Sochan Mandi, district Hissar .. ..	577-78
	Scheduled class—in the Punjab Government Secretariat .. ..	602-03
	<b>REPRESENTATIONS—concl'd.</b>	
	Question re—	
	Of Muslims in Public Health and Buildings and Roads Branch of the Public Works Department .. ..	1001
	<b>REPRESSION—</b>	
	Adjournment motion re campaign of — .. ..	50
	<b>RESEARCH—</b>	
	Question re — by Dr. B. L. Bhatia in Zoology .. ..	593
	<b>RESENTMENT—</b>	
	Question re — against Municipal Committee, Simla .. ..	35-36
	<b>RESETTLEMENT OF LAHORE DISTRICT—</b>	
	Question re — .. ..	22
	<b>RESIDENTS—</b>	
	Question re — of Ferozepore district nominated for first posts .. ..	861
	<b>RESIGNATIONS—</b>	
	Question re — of lambardars of village Gannaur .. ..	575
	<b>RESOLUTIONS—</b>	
	Re conduct of processionists at Lahore .. ..	1047-69
	Re exemption from attachment of agricultural produce .. ..	627-47
	Re Hunger strike prisoners, release of .. ..	915-40
	Re Northern Indian Canal and Drainage Act .. ..	610-27
	Re repairs to Badshahi mosque, Lahore .. ..	520-62
	Statement showing action taken by Government on — of the Assembly .. ..	1003
	<b>RESOURCES AND RETRENCHMENT COMMITTEE—</b>	
	Question re posts of — and Unemployment Committee .. ..	1094-95
	Supplementary Demands, Miscellaneous Questionnaire issued by the — .. ..	455-56
	<b>RESTORATION—</b>	
	Question re — of pensions of Military pensioners .. ..	849-50
	<b>RESTRICTIONS—</b>	
	Question re — on some people of village Nigana .. ..	399
	<b>RETIREMENT—</b>	
	Question re—	
	Of the Employees of Local Bodies .. ..	877
	Of Dr. B. L. Bhatia .. ..	593-94
	<b>RETRENCHED LABOURERS—</b>	
	Question re Deputations of — of Dhariwal Woollen Mills .. ..	1097-98
	<b>RETRENCHED EMPLOYEES—</b>	
	Question re—	
	Of the Irrigation Department .. ..	223
	Re-appointed — .. ..	223
	<b>RETRENCHED OFFICERS—</b>	
	Question re — of the Irrigation Branch .. ..	872-73

PAGES.		PAGES.
	RETRENCHED SERVANTS—	
	Question re preference to — in new recruitment .. ..	691-92
	REVENUE—	
	Question re collection of — and abiana by the headmen of Turf Pattu of village Ghar-yala .. ..	676
	REVENUE ASSISTANT, HOSHIARPUR—	
	Question re speech of — ..	365
	REVENUE DEPARTMENT—	
	Question re Provincial and subordinate services in — and Excise department .. ..	696
	REVENUE OFFICERS—	
	Question re criminal work done by — in Ludhiana district .. ..	749
	REVENUE MINISTER'S OPINION—	
	Question re The Honourable — on Assessment of Land Revenue ..	405
	RESERVE POLICE POST FORCE—	
	Question re —, Amritsar .. ..	327
	REWARD—	
	Question re — for people of village Masitan .. ..	596
	RIASAT ALI, KHAN BAHADUR CHAUDHRI—	
	Resolution re—	
	Conduct of processionists at Lahore .. ..	1057-59
	Exemption from attachment of agricultural produce ..	630-32
	Northern India Canal and Drainage Act .. ..	615-19
	Repairs to Badshahi mosque, Lahore .. ..	539-40
	Rules of Procedure .. ..	835-36
	RICE—	
	Adjournment motion —	
	Re Plunder of — by Mussalis ..	143-44
	RICE CROPS—	
	Question re Loss to — in Sheikhupura district .. ..	373
	RIGHT OF VOTE TO WOMEN—	
	Question re — in Simla Municipal Committee .. ..	23-24
	RIOTS—	
	Question re Communal — .. ..	299
	RIVER ACTION—	
	Question re protection of Roshan from — .. ..	868
	RIVERAINS—	
	Question re grant of land to — of River Sutlej .. ..	497
	RIVER RAVI—	
	Question re change in the course of the — .. ..	1108
	ROAD—	
	Question re—	
	Between Marinda and Cham-kaur .. ..	887
	Construction of a — between Samrala and Morinda .. ..	885
	Kashmere-Dera Ghazi Khan — Ramgarh-Jagadhri — in Ambala district .. ..	701
	From Sheikhupura to Gujranwala .. ..	654
		373
	ROAD— <i>concl'd.</i>	
	Question re—	
	Kurali and Siswan — in Ambala district .. ..	653
	In Thana Shiana in Ludhiana district .. ..	589
	In Ferozepore district .. ..	97-98
	In Ludhiana district .. ..	286
	Provincialization of — in Hoshiarpur district .. ..	664
	In Rural areas .. ..	94-96
	ROAD TAX—	
	Question re purchase of — by Municipalities in Hissar district .. ..	199
	ROAD INSPECTORS—	
	Question re— .. ..	218-19
	ROAD BETWEEN OKARA AND JARANWALA—	
	Question re— .. ..	32
	ROHTAK—	
	Question re Superintendent, Deputy Commissioner's office .. ..	305
	ROJHAN—	
	Question re protection of — from River action .. ..	868
	ROSHAN DIN—	
	Question re —, Sub-Inspector, Police .. ..	103-04
	ROTATIONAL PROGRAMME—	
	Question re — of Upper Bari Doab Canal .. ..	947
	RULES—	
	Question re—	
	Regarding Additional Police Posts calculations and recoveries .. ..	234
	For governing the work and remuneration of Parliamentary Private Secretaries ..	972
	For appointment of official receivers .. ..	411-12
	RULES OF PROCEDURE—	
	Adjournment Motion—	
	Alterations in language .. ..	1126-27
	Procedure .. ..	1026-32
	Restrictions on powers to make — .. ..	1041
	Arrangement of business .. ..	147-48
	Consideration of — .. ..	63-83
	Disqualification for voting on ground of pecuniary interest ..	1154-55
	Divisions, — .. ..	1154
	Giving of Notice by members ..	149
	Language of the Assembly .. ..	1130-52
	Limiting of Speeches on — .. ..	1015
	Motions .. ..	1152
	Motion for consideration of — ..	52-63
	No-confidence motion in Ministry .. ..	1003-26
	Notice — of motion or amendments .. ..	1152-53
	Privilege motions .. ..	909-10
	Questions—	
	Admissibility of — .. ..	250-59
	Starred, number of, put by one member .. ..	893-905

	PAGES.		PAGES.
<b>RULES OF PROCEDURE—<i>concl.</i></b>		<b>MISCELLANEOUS—<i>concl.</i></b>	
Questions Subject matter of ..	149—64,	Parliamentary Private Secretaries	
	240—49.	can ask questions, move resolutions	
	813—22	on days other than those fixed for Government business ..	702
Prorogation .. ..	64	Parliamentary Secretaries cannot	
Quorum .. ..	1128-29	move resolutions or Bills on	
Sittings of the Assembly ..	70—78	days fixed for business other	702
Transaction of business ..	76—83	than Government business ..	
Seating of members ..	1129-30	Oath—	
Speaker and Deputy Speaker,		Can be taken before the person	
Removal of .. ..	67-69	presiding .. ..	1
Speaker, Election of ..	65-66	To be taken before questions	
Summoning of Assembly ..	63	are taken up .. ..	1
<b>RULINGS—</b>		Questions —	
Adjournment motion—		Minister can refuse to answer	
Conduct of members or Ministers		— without assigning any	
not to be discussed on an		reason .. ..	838
—, but only on a substantive		By members of party, prompting	
motion .. ..	49	by Ministers, Parliamentary	903
Should relate to a single and		Parliamentary Secretaries cannot	
definite matter .. ..	51	ask — .. ..	361
Acts of Government done		Speeches. Members wishing to	
according to law not to be		speak must rise in their places	262
discussed on an — ..	50	Statements—	
Bill. Advocate General should		Minister of the Crown can make,	
necessarily be a member of		with the permission of the	
every Select Committee on		Chair .. ..	332
Bills .. ..	810	By Minister of the Crown not	
Budget—		open to discussion .. ..	332
Debate on a total demand not		Unparliamentary language—	
to be raised for discussing		“Disgraceful,” with reference to	
only particular items ..	454	Ministers is unparliamentary	177
Unintentional excess in expenditure		“Dodging” is unparliamentary	833
sanctioned by the		“Shame”, use of the word is	
House may be placed before		unparliamentary .. ..	177
the House as excess grant ..	430	Vote—	
Debate—		A member bound by his voice	
Impersonality is the first principle		and cannot — contrary to it	1154
of parliamentary debate		A motion whether opposed or	
on a motion ends when no one	642	not has to be put to — ..	723
risks to speak or a closure		RURAL CONFERENCE—	
motion is carried .. ..	643	Question re Recommendations of	
Division. Division once called has		the — held at Ambala ..	368-69
to be taken .. ..	640	RURAL EXTENSION SCHEME—	
Language. Members, speaking in		Question re — of Mandi Hydro-	
English, not allowed to speak		Electric .. ..	777
in vernacular, but those who		RURAL UPLIFT WORK—	
have not spoken in English and		Question re subscription for — ..	102-03
say that they are unfit to speak		S.	
in English cannot be disbelieved	1054	SABRAI—	
Ministers. Responsibility of, joint		Question re refund in favour of	
as well as several .. ..	913	village — .. ..	233-34
<b>MISCELLANEOUS—</b>		SABARI HARDO—	
Mistakes, inherent right of		Question re punitive police post	
House to set right ..	723	at — .. ..	516
Names of members should not		SACHINDRA NATH SANYAL, MR.—	
be curtailed or abbreviated and		Question re — and Mr. Manmoth	
also their titles should not		Nath Gupta .. ..	30
be omitted .. ..	1055	SADHAURA—	
Motion. House not in possession		Question re Bund in the North of	
of a — unless proposed by the		— Ambala district .. ..	997
Chair .. ..	612	SAIF-UD-DIN KITCHLEW, DR.—	
		Rules of Procedure. Questions,	
		answer to — .. ..	836
		Resolution re repairs to Badshahi	
		mosque, Lahore .. ..	548-49

	PAGES.		PAGES.
<b>SAILA—</b>		<b>SARGODHA—</b>	
Question re application of Cantonment Act to village — and Idgah in Jhelum district ..	998-99	Question re District and Sessions Judges posted to — ..	996
<b>SAILABA—</b>		<b>SARASWATI CANAL—</b>	
Question re realization of — from villages Ghangeri, Malakpur, etc., in tahsil Thanesar ..	584	Question re — in Kaithal tahsil ..	765
<b>SARKI NULAH—</b>		<b>SATTA—</b>	
Question re over-flooding of —	92	Question re — gambling ..	661
<b>SALARIES—</b>		<b>SANDHARA TOWN—</b>	
Question re — to staffs of District Boards and Municipal Committees ..	651	Question re bund in north of —	1116
<b>SALARIES AND ALLOWANCES—</b>		<b>SATA KALAN—</b>	
Adjournment motion re voluntary surrender of part of — by Ministers and their Secretaries	45-47	Question re rendition of accounts of Malba to villagers of — ..	361
<b>SALES OF LAND—</b>		<b>SAYAD ATA ULLAH SHAH—</b>	
Question re — by Agriculturists	118-20	Question re notice served on — an Ahirar Leader ..	974
<b>SALIG RAM, LALA—</b>		<b>SAYEDWALA—</b>	
Questions re — of Municipal Committee, Simla ..	405	Question re—	
<b>SAMPURAN SINGH, SARDAR—</b>		Grant of land to Tirni payers of Baraghar and —, Thanas In Lyallpur district ..	958-59 32-33
Adjournment Motion re—		<b>SCALES OF PAY—</b>	
Relief to peasants of certain villages in tahsil Tarn Taran	145, 146	Question re — for M.A., B.Ts., and B.A., B.Ts., in Education Department ..	977
Relief to peasants of certain villages in tahsil Tarn Taran	275-76	<b>SCARCITY—</b>	
Strike by owners and drivers of Motor taxis ..	345-47	Question re—	
Resolution re—		Of drinking water in village Bhatoli, district Kangra ..	591
Exemption from attachment of agricultural produce ....	637-38	Of drinking water in certain villages in Ambala district ..	568
Release of hunger-strike prisoners ..	930-31	<b>SCHEDULE A OF (ARIANA—)</b>	
Rules of Procedure—		Question re villages in — in district Jhang ..	944-45
Re transaction of business ..	78-79	<b>SCHEDULED CLASS—</b>	
Questions, subject matter of ..	163-64	Question re—	
Questions, answers to, to be direct, clear, definite, and relevant and not evasive ..	833-4	Representation in the Punjab Government Secretariat ..	602-03
<b>SAMRALA—</b>		Representation in Punjab Civil Service ..	602
Question re construction of a road between — and Morinda ..	885	<b>SCHEDULED CASTES—</b>	
<b>SAMRALA SMALL TOWN COMMITTEE—</b>		Question re—	
Question re — ..	751-52	Concessions in fee for students belonging to — ..	606
<b>SAMUNDRI—</b>		Wells for — ..	605
Question re—		Students belonging to — ..	605
Raising of — to a Small Town	491	Primary and Secondary education for — ..	606
Complaints against Sub-Inspector of Police —, by the residents of — ..	1074	<b>SCHEME—</b>	
<b>SAMUNDRI BRANCH—</b>		Question re—	
Question re — of Nala Dhingana, Dera Ghazi Khan district ..	237	To overhaul primary and secondary system of education	650
<b>SANTAL—</b>		Dajal water-supply — ..	700-01
Question re release of Messrs. — and Gupta ..	208-09	To combat menace to Agriculture in Hoshiarpur, etc. ..	291
<b>SARDAR AMAR SINGH BANERJEE—</b>		For improvement of Communications ..	573
Question re arrest of — ..	879-80	<b>SCHOLARSHIPS—</b>	
<b>SARDAR CHANAN SINGH, STATE PRISONER—</b>		Question re — for Achhut students	504
Question re allowance to the members of the family of — ..	6	<b>SCHOOL—</b>	
<b>SARDAR TEJA SINGH SWANTANTAR—</b>		Question re—	
Question re — ..	884	Middle — for boys and girls in Makhad ..	19-20
<b>SARDUL SINGH CAVERESHER, SARDAR—</b>		For deaf-mute children ..	960
Question re Jagir of — ..	664-65	Annual Inspection of schools at Shahjahanpur and Chandpur on Jumat-ul-Wida Day ..	986
		Teaching of Hindi in — ..	1000

	PAGES.		PAGES.
SCHOOL— <i>concluded</i> .		SHAHABAD MUNICIPAL COMMITTEE—	
Question re—		Question re Medical Officers as	
For deaf and dumb ..	605	members of Bahadargarh Municipal Committee and — ..	1117
SCHOOLBOYS—		SHAHABAD FUND—	
Parading of — in connection with		Question re utilization of — Hansi	
the Viceregal Durbar ..	205—07	and other funds in Ambala	
SEARCHES—		Division ..	1073
Question re — arrests and extern-		SHEIKHUPURA MUNICIPALITY—	
ments in the Punjab ..	1089	Question re Polling Officer for elec-	
SEATING ARRANGEMENTS—		tions to — ..	1078
Question re — for public in various		SHAHPUR CANAL—	
courts in district Hoshiarpur	745	Question re — ..	972-73
SEATING OF MEMBERS—		SHAHPUR BRANCH CANAL—	
Rules of Procedure ..	1129-30	Question re — ..	230
SECONDARY EDUCATION—		SHAH NAWAZ, MRS. J. A.—	
Question re—		Supplementary Demands—Public	
Scheme to overhaul primary and		Health, Participation of Public	
— system of education ..	650	Health Department in the All-	
Primary and — for scheduled		India Exhibition ..	438-39
castes ..	606	Resolution re conduct of process-	
SECTION 85—		ionists at Lahore ..	1050—52
Question re amendments of — of		SHAMILAT—	
Government of India Act, 1935	853-54	Question re share of Achhuts in	
SECRETARY—		village — ..	504
Question re—		SHANKAR NATH, LALA—	
Municipal Committee, Ballab-		Question re — of Municipal Com-	
garh ..	308	mittee, Simla ..	405
Municipal Committee, Ballab-		SHARAFAT HUSSAIN—	
garh ..	597	Question re —, head constable ..	764
Provincialization of the Post		SHEEP AND GOATS—	
of — District Boards, Punjab	1901-02	Question re Tax on — ..	591
SECRETARY, MUNICIPAL COMMITTEE,		“SHEHE KE SUFAID HATHI ”—	
JAGADHEI—		Question re a poster ..	691
Question re — ..	37-38	SHEIKHUPURA DISTRICT—	
SECRETARIES—		Question re waterlogging in — and	
Adjournment motion re voluntary		payment of Government dues.	888
surrender of part of salaries and		SHIV SINGH—	
allowances by Ministers and		Question re comrade — ..	12
their — ..	45—47	SHOPKEEPERS—	
SECRETARIAT COMPOUND—		Question re — in the Headwork	
Privilege of members re —, en-		Colony area of the Haveli	
trance into ..	803-04	Project ..	943
SECURITY—		SHRI RAM SHARMA, PANDIT—	
Question re—		Adjournment motion re Police	
Deposited by Dewan Printing		raid in village Katani ..	180—83
Press ..	796-97	Rules of Procedure Questions,	
Forfeiture of — from Kirti		subject matter of ..	159-60
Akhbar ..	5-6	SIALKOT JAIL—	
Return of confiscated — of		Question re Cerebral Meningitis	
Newspapers ..	603	in — ..	992-93
Of Newspapers ..	314	SINGHA, MR. S. P.—	
Returning of — of Newspapers	689	Adjournment Motion re strike by	
Refund of — to Newspapers ..	682	owners and drivers of motor	
SELECTION BOARD—		taxis ..	355—57
Question re meetings of the —		Point of order re the practice of	
Western Range ..	996-97	calling members to speak ..	262
SEPARATE ELECTORATES—		SIKANDER HYAT-KHAN, THE HO-	
Question re elections to		NOURABLE MAJOR SIR—	
Local Bodies under joint		Allotment of time for discussion	
and — ..	891	of—	
SERVICES—		Behaviour of processionists	
Question re Communal Repre-		in connection with release of	
sentations in — ..	1098	hunger-strike prisoners ..	396, 940-41
SHAHABAD TOWN COMMITTEE—		Bill—	
Question re Muslim Representa-		The Punjab Removal of Beggary—	722, 723
tion in — ..	997-98	The Punjab Muslim Aunaf — ..	734—35
		Hunger Strike of Political Pri-	
		soners ..	807, 808-09

	PAGES.		PAGES.
<b>SIRANDER HYAT-KHAN, THE HONOURABLE MAJOR SIR—concl'd.</b>		<b>SIMLA-KOTGARH ROAD—</b>	
Programme of business ..	562	Question re — ..	34
Resolution re—		<b>SIRI CHAND—</b>	
Northern India Canal and		Question re Chaudhri —, Advo-	303
Drainage Act ..	622	cate, Rohtak ..	
Repairs to Badshahi mosque ..	520	<b>SIRSA—</b>	
	522—24,	Question re drinking water in	1071
	525,	Tahsil — ..	
	527—29,	<b>SISWAN—</b>	
	535,	Question re Kurali and — Road ..	653
	557—61	<b>SIWALIK HILLS—</b>	
Exemption from attachment of		Question re fixation of the limits	
agricultural produce ..	642-43	of — and its effect on certain	570-71
	644—47	people ..	
Conduct of processaionists at		<b>SLAUGHTERING—</b>	
Lahore ..	1065-68	Question re — ..	
Release of hunger-strike pri-		Of pregnant sheep ..	220
soners ..	816, 917-18,	Of pregnant sheep and goats ..	1120
	932—37,	Of pregnant sheep ..	330
	938.	<b>SLAUGHTER HOUSE—</b>	
Rules of Procedure—		Question re building of a — by	1118
Questions, reasons for dis-		Tohana Municipal Committee ..	
allowing any ..	828-29	<b>SLIDING SCALE—</b>	
Questions, answers to, ..	842—44	Question re remission in Govern-	
No-confidence motion against		ment dues in the Montgomery	756-57
Ministry ..	1018-19	district according to the — ..	
Questions — answers to ..	830	<b>SMALL LANDOWNERS—</b>	
Limiting of speeches ..	1015-16	Question re — ..	95
No-confidence motion against		<b>SMALL TOWN COMMITTEE—</b>	
Ministry ..	1018-19,	Question re—	
	1022	President, — Budhlada ..	574
Adjournment motion re proce-		President —, Gurgaon ..	308
dure ..	1028-29	Electoral Rolls of —, Una ..	847-49
Adjournment motion. Time for		Samrala — ..	751-52
discussion of — ..	1033-34	<b>SOCHAN MANDI—</b>	
Adjournment motion. Proce-		Question re representation by	
dure ..	1031-32	the inhabitants of —, District	
Adjournment motion. Restriction		Hissar ..	577-78
on — ..	1043—46	<b>SONAGPURA CANAL—</b>	
Seating of members ..	1130	Question re Dipalpur and —, and	
Language of the Assembly ..	1145,	Kartarpur minor ..	948-49
	1148—51	<b>SOHANA VILLAGE—</b>	
Disqualification for voting on		Question re refund claimed by the	
ground of pecuniary interest	1155	inhabitants of —, district	
Adjournment motions. Dis-		Ambala ..	655-56
allowance of — ..	805	<b>SOHAN SINGH JOSHI, SARDAR—</b>	
<b>SIKHS—</b>		Adjournment Motion re—	
Question re—		Relief to peasants of certain	
Recruitment of — as Police		villages in Tahsil Tarn Taran 144, 145, 146	
constables ..	96-97	Police raid in village Katani	172-73,
In Deputy Commissioner's			175, 176
office, Ludhiana ..	590	Relief to peasants of certain	
Omission to nominate a Sikh		villages in tahsil Tarn Taran	259—61,
for Municipal Committee,			263, 264
Fazilka ..	869	Resolution re—	
<b>SILAB AREA—</b>		Repairs to Badshahi mosque,	
Question re — in Hoshiarpur dis-		Lahore ..	540-41
trict ..	401	Exemption from attachment of	
<b>SITPUR—</b>		agricultural produce ..	632—34
Question re Areas in the neigh-		Rules of Procedure—	
bourhood of — in Muzaffargarh		Limitation of speeches on — ..	1016
district ..	868	Adjournment motion. Restriction	
		on — ..	1041
		<b>SOMB RIVER—</b>	
		Question re bridge across — ..	654

	PAGES.		PAGES.
<b>SONS—</b>		<b>STATEMENT—</b>	
Question <i>re</i> appointment of Special Official Receiver as guardian of the — of Rai Bahadur Sunder Das Chopra of Dinga .. ..	1119-20	<i>Re</i> Bihta Train Disaster ..	331-32
<b>SPEAKER, MR.—</b>		Supplementary — <i>re</i> action taken against corrupt officials ..	44
Adjournment motions. Rules <i>re—</i>	46	<b>STEEL GATES—</b>	
Adjournment motion—		Question <i>re—</i>	
<i>Re</i> relief to peasants of certain villages in tahsil Tarn Taran ..	144, 145, 146	For Haveli Project ..	386-37
<i>Re</i> strike of owners and drivers of motor taxis ..	239-40	Contract for — for the Haveli Project ..	684
Disallowance of ..	805	<b>STENOGRAPHERS—</b>	
Governor, appointment by, of person presiding for taking oath before ..	1	Question <i>re</i> — in the office of the Deputy Commissioner, Lahore ..	113
<i>Re</i> Language of the Assembly ..	1145-46, 1148	<b>STRENGTH—</b>	
Multiplicity of adjournment motions ..	332-33, 334, 335	Question <i>re</i> increase of — of Criminal Investigation Department ..	403
Point of order. <i>Re</i> Starred questions not reached during questions hour ..	427-28	<b>STRAKE—</b>	
Privilege of members ..	803-04	Adjournment Motion <i>re—</i>	
<b>SPECIAL MUNICIPAL ACT—</b>		Of owners and drivers of motor taxis ..	239-40
Question <i>re</i> — for the town of Lahore ..	1108	By owners and drivers of motor taxis ..	339-50
<b>SPECIAL OFFICIAL RECEIVER—</b>		Question <i>re</i> — by motor and taxi drivers and owners on New Year's Day ..	1089
Question <i>re</i> — ..	467, 68, 69	<b>STUDENTS—</b>	
Question <i>re—</i>		Question <i>re</i> — belonging to Scheduled castes ..	605
Assistants to — ..	415	<b>SUB-ASSISTANT SURGEON, TANDA—</b>	
Auditing of Accounts kept up —	415	Question <i>re</i> complaints against —	495
Rules for keeping of accounts of — ..	415	<b>SUB-DIVISIONAL OFFICER, PINDI GHEB—</b>	
Powers of — ..	414	Question <i>re</i> — and Sardar Bind Singh ..	12-13
Remuneration to — ..	414	<b>SUB-DIVISIONAL OFFICER—</b>	
Qualifications of — ..	414	Question <i>re</i> — in the Irrigation Branch of the Public Works Department ..	872
Question <i>re</i> — ..	414	<b>SUBHAS CHANDRA BOSE—</b>	
<b>SPEECHES—</b>		Question <i>re</i> censuring of Mr. —'s correspondence ..	296
Question <i>re—</i>		<b>SUB-INSPECTOR OF POLICE—</b>	
Against the Congress made by Minister for Development on his tours ..	972	Question <i>re</i> —, Sialkot ..	899
Revenue Assistant, Hoshiarpur's — ..	365	<b>SUB-INSPECTOR OF POLICE, SAOHA-WAL—</b>	
Of M. L. Zafar Ali Khan, M. L. A. (Central) ..	402	Question <i>re</i> complaints against —	194-95
<b>STAFF—</b>		<b>SUB-INSPECTORS—</b>	
Question <i>re</i> salaries to — of district boards and municipal committees ..	651	Question <i>re—</i>	
<b>STAGNANT WATER—</b>		In Ludhiana district ..	314
Question <i>re</i> pond of — in Haria, district Gujrat ..	608	And head constables ..	104-08
<b>STALLIONS—</b>		<b>SUB-INSPECTOR OF POLICE—</b>	
Question <i>re</i> — in district of Dera Ghazi Khan ..	701	Question <i>re—</i>	
<b>STARRED QUESTIONS—</b>		Complaints against — Thana Nowshera, District Gujranwala ..	1074
Point of Order <i>re</i> — not reached during questions hour ..	427-28	Complaint against — Samundri by the residents of the locality ..	1074
<b>STATEMENTS LAID ON THE TABLE—</b>		<b>SUB-JUDGE—</b>	
Showing action taken by Government on resolutions of the Assembly ..	1003	Question <i>re</i> Senior —, Hissar ..	760
		<b>SUJANPUR—</b>	
		Question <i>re</i> High School for — ..	498
		<b>SUBORDINATE GOVERNMENT SERVANTS—</b>	
		Question <i>re</i> — working as motor drivers to their officers ..	397
		<b>SURPLUS AMOUNT—</b>	
		Question <i>re</i> adjustment of the — realised from municipalities in Lahore and Multan Divisions ..	1110-11

PAGES.	PAGES.
SUBSCRIPTION—	SUNDAR SINGH MAJITHIA, THE
Question re — for rural uplift work .. 102-03	HONOURABLE DR. SIR—
SUB-SOIL WATER—	concluded.
Question re—	Bhita Train Disaster. Statement re— .. 331-32
Level in Jullundur and Hoshiarpur districts .. 103	Supplementary Demand—
Inquiry regarding — in Jullundur and Hoshiarpur districts .. 771	Forests, re purchase of crockery and furniture for Viceroy's visit .. 429
SUFADPOSHES—	Miscellaneous. Terms of reference of the Land Revenue Enquiry Committee .. 458-59, 464-65
Question re pay of — in the Punjab .. 803	SUPPLEMENTARY ESTIMATES—
SUGARCANE CROP—	Presentation of — .. 52
Question re — in Rohtak, Gurgaon, Hissar and Karnal districts .. 791	SUPPLEMENTARY STATEMENT OF EXPENDITURE—
SUGARCANE—	Authenticated by Governor .. 806-07
Question re — in Jullundur district .. 770	SUPPLEMENTARY DEMANDS—
SULTAN MAHMOOD HOTIANA, MIAN	Re Veterinary — .. 435
Resolution re conduct of processionists at Lahore .. 1054-55	Public Works Department, Hydro-Electric Establishment .. 466
SUMMER VACATION—	Public Health .. 436-454
Question re—	Police .. 434
For High School, Municipal Committee, Beri .. 391	Miscellaneous .. 656-66
For Schools in the Punjab .. 7	Irrigation .. 466
SUNDAR DAS CHOPRA, RAI BANADUR—	Irrigation Works .. 433
Question re appointment of Special Official Receiver as guardian of the sons of — of Dinga .. 1119-20	General Administration .. 466
SUNDER SINGH MAJITHIA, THE	Forests .. 428-33
HONOURABLE DR. SIR—	Education .. 434-36
Adjournment Motion re—	Civil Works .. 466
Relief to peasants of certain villages in tahsil Tara Taran .. 145, 146	Re Capital outlay on Electric Schemes .. 455
Relief to peasants of certain villages in tahsil Tara Taran .. 262-65	Administration of Justice .. 466
Adjournment Motions. Multiplicity of— .. 333	SUPPLY OF WATER—
Adjournment motions re strike by owners and drivers of motor taxis .. 342-45	Question re increased — for Hissar district .. 951
Bibi Parbati Devi. Reference to late — .. 45	SUR SINGH—
Bill—	Question re—
Alienation of Land (Amendment) — The Punjab. Introduction and reference to Select Committee .. 812	Additional police post at village —, tahsil Kasur .. 760
The Punjab Land Revenue (Amendment)— .. 727-28	Grievances of Zamindars of village — regarding Jagatpura Minor head .. 425
The Punjab Motor Traffic Offences— .. 809, 911-12	Additional Police Post at village — .. 418
Forest Board, election of members to Punjab — .. 896-98	Additional Police posts. Costs recovered from village — .. 235
Hours of sitting. Statement by — re .. 146	Arrears of Punitive Police Tax from village — .. 603
Reference to late Ahmad Bakhsh Khan, Mr. .. 142-43	Cost of Additional Police Post at village — .. 329-30, 331
Resolution re Northern India Canal and Drainage Act .. 622-27	SUPERSESSION—
Point of Order. Resolution moving by Parliamentary Private Secretary .. 612	Question re—
Rules of Procedure re transaction of business .. 78	Of Lahore and Sialkot Municipalities .. 395
	Of Dr. B. L. Bhatia .. 596
	SUPERINTENDENT—
	Question re — Deputy Commissioners' office, Rohtak .. 305
	SUSPENSION—
	Question re—
	Dismissal or — of clerks by Mr. Amin-ud-Din, I.C.S. .. 596-97
	And remission of land revenue in Hissar district .. 40
	SUTLEJ RIVER—
	Question re bridge over — at Charota .. 651-52

	PAGES.		PAGES.
SWAN HILL TORRENT—		TAXES— <i>contd.</i>	
Question re — .. .. .	29	Question re—	
SWAN NADI—		By cantonment boards in the	
Question re construction of a		Punjab .. .. .	1082-83
bridge over .. .. .	116	TAX SCHEDULE—	
SWIMMING TANK—		Question re revised — for Ambala	
Question re—in the Rakh Lands	283	Cantonment .. .. .	604
SYSTEM OF ELECTION—		TAXI DRIVERS—	
Question re—		Question re strike by motor and—	
For Isakhel, Kalabagh and		and owners on New Year day ..	1089
Pindigheb Municipal Commi-		TEACHERS—	
tees .. .. .	851-53	Question re—	
Municipalities in which — does		In district board schools in Hissar	
not prevail .. .. .	857-59	district .. .. .	756
		Re-instatement of six — of Pind	
		Dadan Khan Municipal Com-	
		mittee .. .. .	1112
		TEHL SINGH—	
		Question re—	
		Internment of Sardar —	
		Sardar — a Political worker of	
		village-Bhangali .. .. .	408
		TEJA SINGH, SARDAR—	
		Application of — for leave of ab-	
		sence .. .. .	43
		TEJA SINGH SWATANTAR, SARDAR—	
		Question re application for trans-	
		fer of —, a state prisoner, to	
		another jail .. .. .	961
		TELEGRAM—	
		Question re inquiry on the — sent	
		by Sardar Atma Singh, Presi-	
		dent, Municipal Committee,	
		Sheikhupura .. .. .	1077
		TEMPLE—	
		Question re Lalujas Rai — at	
		Multan .. .. .	391-92
		TEMPORARY ESTABLISHMENT—	
		Question re Government orders	
		re — Irrigation Department ..	223
		TENDERS—	
		Question re criteria for — for	
		Haveli Project .. .. .	408
		TERMINAL TAX—	
		Question re revised — schedule	
		Cantonment Board, Ambala ..	690
		TERRORIST PRISONERS—	
		Question re separate cells for —	
		TEXT-BOOKS—	
		Question re—	
		Obscene matter in —	
		Prescribed by the Text-Book	
		Committee .. .. .	301
		THAKAR DAS <i>versus</i> INAYAT HUS-	
		SAIN—	
		Question re finding of civil court	
		in case — .. .. .	886
		THANA SHIANA—	
		Question re roads in — in Ludhi-	
		ana district .. .. .	589
		THEFTS—	
		Question re — by Mussalis in	
		Sheikhupura district .. .. .	795-96
		THRIKIPHERA—	
		Question re—	
		In certain villages in Hoshiarpur	
		district .. .. .	390
		In village Phungarni in Hoshi-	
		arpur district .. .. .	486
T			
TAHSILDAR(s)—			
Question re—			
Of Nuh (Gurgaon) .. .. .	312		
And Naib-Tahsildars .. .. .	859-60		
TAHSILDARSHIP—			
Question re candidates for — and			
naib-tahsildarship .. .. .	465-68		
TAX-RIDE—			
Question re — along the canal			
bank at Lahore .. .. .	607		
TANGARI NADI—			
Question re—			
Overflow of — .. .. .	126		
Protection from floods from —	124-25		
TANKS—			
Question re canal water for — in			
Hissar district .. .. .	679		
TAQAVI—			
Question re realization of — from			
village Ghawindi, tahsil			
Lahore .. .. .	325		
TAQAVI LOANS—			
Question re—			
Advanced in tahsil Pind Dadan			
Khan .. .. .	978		
Remission of — to Achhuta ..	508		
TEJA SINGH, SARDAR—			
Resolution re—			
Conduct of processionists at			
Lahore .. .. .	1062-63		
Repairs to Badshahi mosque ..	525		
TARN TARAN RAJEAH—			
Question re canal road of — ..	992		
TARN TARAN TAHSIL—			
Question re Damage by Hail-			
storm in Noushera Panuan in			
— .. .. .	883		
TARNALI ROAD—			
Question re — in Montgomery dis-			
trict .. .. .	496		
TAWAN—			
Question re — for filling up a vil-			
lage pond .. .. .	317		
TAXES—			
Question re—			
Levied by Forest Department			
on villages .. .. .	655		
On goats .. .. .	591		
For shop-keepers .. .. .	98		

	PAGES.		PAGES.
<b>TRAVELLING ALLOWANCE—</b>		<b>TRAVELLING ALLOWANCE—</b>	
Question re—		Question re—	
For Development Minister's		For Development Minister's	971-72
tour to Kashmir .. ..		tour to Kashmir .. ..	822
Of Ministers .. ..	786	Of Minister .. ..	822
Of Minister .. ..		Reduction of — .. ..	122-23
Reduction of — .. ..		To members when attending	
To members when attending		Courts .. ..	501
Courts .. ..		Etc., earned by Ministers ..	494
Etc., earned by Ministers ..		Paid to various Ministers ..	728-30
Paid to various Ministers ..			
		<b>TREASURER—</b>	
<b>TRIAK RAM, CHAUDHRI—</b>		Question re bribe to Wazir Baqi	
Resolution re exemption from		Nawis and the — .. ..	570
attachment of agricultural pro-			
duce .. ..	635-36	<b>TRIBAL RAIDS—</b>	
		Question re Protection of Northern	
<b>TOHANA—</b>		parts of Dera Ghazi Khan	
Question re—		against — .. ..	700
Unrecognised Girls' School —	318		
Veterinary Hospital for — dis-	859	<b>TRIENI GUZARS—</b>	
trict Hissar .. ..		Question re—	
<b>TOHANA MUNICIPAL COMMITTEE—</b>		Grant of lands to — in Barala	
Question re building of a slaughter-		Extension, etc. .. ..	494
house by — .. ..	1118	Grants to — in Pir Mahal Ex-	
		tensions .. ..	492
<b>TORTURE—</b>			
Question re—		<b>TRIENI PAYERS—</b>	
By Police of Hazara Singh, a		Question re—	
dacoit .. ..	698	List .. ..	959
Method of investigation by		Grants of land to — of Bara-	
Police .. ..	799-800	ghar and Sayadwala	
		Thanas .. ..	956-59
<b>TOUR—</b>			
Question re—		<b>TUBE-WELLS—</b>	
Of Honourable Minister for		Question re—	777-79
Revenue in Bist Jullundur		Scheme for the Province ..	773
Doaba .. ..	772-73	Inclusion of Ambala district in	
Of the Deputy Commissioner,		scheme of Irrigation by — ..	570
Ferozepore .. ..	954		
<b>TOURS—</b>		<b>TUBE-WELL SYSTEM—</b>	
Question re—		Question re — in the Punjab ..	551
Of Ministers and Parliamentary			
and Private Secretaries ..	970-71	<b>TURF FATRU—</b>	
In which Minister for Develop-		Question re—	
ment addressed public meet-		Panchotra to headmen of vil-	
ings criticising the Congress	966-69	lages — and Ghonala, Lahore	
<b>TOWN IMPROVEMENT TRUST—</b>		district .. ..	1075-76
Re —, Lahore .. ..	452-54	Collection of revenue and abiana	
<b>TOWN PLANNER—</b>		by the headmen of — of vil-	
Question re — for Lahore Im-		lage Gharyala .. ..	676
provement Trust .. ..	626-87		
		U	
<b>TRADE—</b>		<b>UJAGAR SINGH—</b>	
Question re Protection of — and		Question re—	
Industry at Ludhiana .. ..	754	Of village Dhamiah Kalan ..	497
<b>TRAIN DISASTER—</b>		Lambardars Uttam Singh and	
Bihta —, Statement re ..	331-32	— .. ..	571-75
Question re compensation to			
Punjabee victims of Bihta —	215-16	<b>UJJAL SINGH, SARDAR SARDAR</b>	
<b>TRAINING CENTRES—</b>		<b>DAR—</b>	
Question re — for Dais in Rural		Adjournment motion re Police	
Areas .. ..	892	raid in village Katani .. ..	134-36
<b>TRANSBORDER MONEY-LENDERS—</b>			
Question re methods of realisation		<b>UNA—</b>	
of debts employed by — ..	690	Question re—	
<b>TRANSFER—</b>		Opening a Government High	
Question re—		School in tahsil — .. ..	225
Application for — of Sardar		Electoral Rolls of Small Town	
Teja Singh Swatanter, a		Committee — .. ..	847-49
state prisoner, to another	94		
jail .. ..		<b>UNA, BHARWANI AND SANTOKH</b>	
Of Shaikh Ghulam Mohy-ud-		<b>GARE ROAD—</b>	
Din, Sub-Inspector, Police,		Question re motor licences for —	20
Sheikhupura .. ..	410		
<b>TRANSHIPMENT OF GOODS—</b>			
Question re — at Mithankote in			
Dera Ghazi Khan district ..	866		

PAGES.	PAGES.
<b>UNCOMMANDED AREAS—</b>	<b>VICEROYAL DARBAR—</b>
Question re — at the Taila of Lower Manka, Shoria and Islam channels in Dera Ghazi Khan district .. .. .	Question re— .. .. . 202—05
236	Expenditure incurred in connection with the — .. .. . 201—02
<b>UNCONNECTED SHOPS—</b>	Parading of young school boys in connexion with — .. .. . 205—07
Question re water-tax on — and godowns in Rawalpindi Cantonment .. .. .	<b>VICEROY'S VISIT—</b>
1082	Purchase of crockery and furniture for — .. .. . 423—33
<b>UNEMPLOYMENT—</b>	<b>VILLAGE AND SMALL TOWNS PATROL—</b>
Question re— .. .. . 506	Bill, The Punjab — (Amendment) .. .. . 729—31
Among achhuts .. .. . 505	<b>VILLAGE BALI—</b>
<b>UNEMPLOYMENT COMMITTEE—</b>	Question re danger to—in Ruper tahsil by a hill torrent .. .. . 888
Question re—	<b>VISIT—</b>
Reports of the Resources and Retrenchment Committee and — .. .. . 1084-95	Question re Honourable Finance Minister's — to Lahore Central Jail .. .. . 134
Working of the — .. .. . 457	<b>VOTE—</b>
<b>UNEMPLOYMENT INSURANCE—</b>	Question re Right of — for Dooms of Gurdaspur district .. .. . 785
Bill, The Punjab .. .. . 702	<b>VOTING STRENGTH—</b>
<b>UNIT, MA. A.—</b>	Question re — of Muslims in Fazilka Municipal Committee .. .. . 396
Question re — Superintendent Police and Register No. X .. .. . 33	W
<b>UPPER BARI DOAB CANAL—</b>	
Question re—	
Gauge Readers in — .. .. . 420	
Rotational programme of — .. .. . 947	
<b>UTTAM SINGH, LAMBARDAR—</b>	
Question re— .. .. . 395	
<b>UTTAM SINGH—</b>	<b>WAGES—</b>
Question re lambardars — and Ujagar Singh .. .. . 574-75	Bill, Fixation of minimum rates of —, the Punjab .. .. . 719—22
V	<b>WARRANTS—</b>
	Question re — of arrest and attachment .. .. . 329
<b>VACANCIES—</b>	<b>WASAL BAQI NAWIS—</b>
Question re filling of — in the Deputy Commissioner's Office, Ferozepore .. .. . 953	Question re bribe to — and the treasurer .. .. . 579
<b>VACUINATORS—</b>	<b>WATER-LOGGING—</b>
Question re — .. .. . 197	Question re—
<b>VEGETABLES—</b>	In Lyallpur .. .. . 958
Question re free supply of — from jail gardens to Government officials .. .. . 953	Damage by — in tahsil Phalia .. .. . 373
<b>VEGETABLE GHEE—</b>	In Hardo Rerka, tahsil Fazilka .. .. . 374
Question re — .. .. . 755-56	In Sheikhpora district and payment of Government dues .. .. . 888
<b>VEGAL—</b>	Of lands by Keshpur Lake .. .. . 669
Question re cost of Additional Police Post at village — .. .. . 676-77	Trouble in Nilon Kalan, Ludhiana district .. .. . 237
<b>VEHICLES—</b>	In certain villages in Dipalpur tahsil .. .. . 42
Question re grievances of owners of — .. .. . 316	<b>WATER-LOGGED AREA—</b>
<b>VERNACULAR MIDDLE SCHOOLS—</b>	Question re—
Question re junior and senior vernacular classes in — in Karnal district .. .. . 803	Water tax for — in Chunian tahsil .. .. . 28
<b>VETERINARY—</b>	Near Jampur .. .. . 868
Supplementary Demand — .. .. . 455	<b>WATER LEVEL—</b>
<b>VETERINARY HOSPITAL—</b>	Question re—
Question re —	In wells in Jullundur and Hoshiarpur districts .. .. . 987-88
In Manimajra, district Ambala .. .. . 655	In Doaba Bist Jullundur .. .. . 771-72
For Tohana, district Hissar .. .. . 859	<b>WATER METER—</b>
<b>VETERINARY HOSPITALS—</b>	Question re installing — in Lahore city .. .. . 1114
Question re — opened by the District Board, Ludhiana .. .. . 229-30	<b>WATER RATES—</b>
	Question re — on Agra-Jumna Canal .. .. . 580

PAGE.		PAGE.	
		Z	
WATER SUPPLY—		ZAFAR ALI KHAN—	
Question re — for Irrigation of private agricultural holdings in the neighbourhood of Dhandi Estate .. .. .	864	Question re speech of M. — Member Legislative Assembly (Central) .. .. .	403
WATER—		ZAFARWAL SMALL TOWN COMMITTEE—	
Question re supply of — to Ambala City .. .. .	123	Question re — .. .. .	890
WATER TAX—		ZAILDARS—	
Question re —		Question re—	
On unconnected shop and godowns in Rawalpindi Cantonment .. .. .	1062	Emoluments to — and land-bardars .. .. .	902
For water-logged area in Chunan tahsil .. .. .	28	In Government service .. .. .	41-42
WATER-WORKS ENGINEER—		Emoluments of — and Inam-Khawars .. .. .	192-93
Question re — Municipal Committee Simla .. .. .	34-35	ZAIL KOKARI KALAN—	
WATER WORKS SCHEME—		Question re Irrigation Facilities for — .. .. .	404
Question re — for Pind Dadan Khan .. .. .	979	ZAIL KHARRI—	
WHEEL TAX—		Question re drinking water for—	380
Question re — on motor vehicles..	790	ZAMINDARS—	
WELLS—		Question re—	
Question re—		Complaint by — of village Nadana .. .. .	576
Water levels in — in Jullundur and Hoshiarpur districts ..	937-38	Representations from the — of the Jhang district for grant of land .. .. .	945
For scheduled castes .. .. .	605	Grievances of — of village Sur Singh regarding Jagsepara Minor Head .. .. .	425
WHEAT RANCH—		ZILLADARS—	
Question re meetings of the Selection Board .. .. .	996-97	Question re— .. .. .	382
WIDOW—		ZOOLOGY—	
Question re — of Dr. Ram Gopal, Veterinary Assistant, Narnaud .. .. .	581	Question re—	
WOMEN—		Research by Dr. B. L. Bhatia in — .. .. .	596
Question re —'s Christian Medical College, Ludhiana ..	756-59	In Patna College .. .. .	598
WORKSHOP—			
Question re child labour in — ..	993		
WORKSHOP SUPERINTENDENT—			
Question re — of Macleagan Engineering College, Moghalpura	792-94		

26

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